



January 22, 2018

SENATE BILL No. 50

DIGEST OF SB 50 (Updated January 22, 2018 8:54 am - DI mo)

Citations Affected: IC 2-5; IC 6-3.1; IC 20-20; IC 20-32; IC 20-43; IC 21-12; IC 22-4.3; IC 22-4.4; noncode.

Synopsis: Workforce development; career and technical education. Establishes the Pell grant review committee consisting of 10 members to: (1) study the requirements for the award of a Pell grant, including the postsecondary courses of study for which a Pell grant may be awarded; (2) determine whether those courses of study include programs that award diplomas, technical certificates, industry recognized certifications, credentials, or degrees, other than a baccalaureate degree, or an apprenticeship program; and (3) submit, not later than November 1, 2018, to the governor and the legislative council a report concerning the results of the review. Provides an
(Continued next page)

Effective: Upon passage; July 1, 2018; January 1, 2019.

**Eckerty, Head, Perfect, Niemeyer,
Grooms, Ford, Sandlin, Raatz, Crider,
Brown L, Bassler, Messmer, Zakas,
Bray, Walker, Buck, Doriot, Kruse,
Charbonneau**

January 3, 2018, read first time and referred to Committee on Rules and Legislative Procedure.

January 22, 2018, amended; reassigned to Committee on Appropriations.

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income tax credit to an individual who relocates to Indiana to accept employment with an Indiana employer in a high demand, unfilled job. Applies to taxable years beginning in 2019 through 2021. Provides that the tax credit amount is 100% of the individual's income tax liability for the two taxable years following the year the taxpayer relocates to Indiana. Establishes a state income tax credit for expenditures and donations made on behalf of an employee or student to meet the requirements for portable workforce credentials that are required or beneficial for targeted employment identified by the department of workforce development. Applies to taxable years beginning in 2019 through 2021. Requires the commission for technical education (commission) to identify workforce training programs that are underperforming and request that the budget agency reduce allotments for the program for the state fiscal year and limits the amount of tax credits in that state fiscal year to the amount the allotments are reduced. Requires Ivy Tech Community College, in collaboration with Vincennes University, to develop a career coaching program to provide information and support to high school students and their parents to encourage and assist students in successfully: (1) enrolling in and completing postsecondary career and technical education; or (2) obtaining a high demand job after completing high school. Requires the state board of education, when establishing an apprenticeship as a graduation pathway requirement, to establish as an apprenticeship program only an apprenticeship program registered under the federal National Apprenticeship Act or another federal apprenticeship program administered by the United States Department of Labor. Establishes the commission, consisting of 21 members, as an instrumentality and an agency of the state to: (1) plan for, coordinate, oversee, and make recommendations regarding Indiana's system of career and technical education offered by Ivy Tech Community College, Vincennes University, secondary level career and technical education programs, career and technical education centers, schools, or departments, and state providers of workforce related programs; (2) review appropriation requests of career and technical education providers; and (3) make recommendations to the governor, the budget agency, and the general assembly concerning career and technical education programs. Allows the commission to create advisory committees to assist the commission with its duties. Requires the commission to develop, update, and implement a long range plan for career and technical education. Allows the commission to approve or disapprove the: (1) establishment of any new career and technical education program by a state provider; or (2) offering of any proposed or existing career and technical education program leading to an industry recognized certification, credential, or other indication of accomplishment. Requires the commission to submit an annual report in electronic format to the general assembly concerning career and technical education in Indiana. Establishes the: (1) higher education non-credit bearing award and fund; (2) freedom of choice non-credit bearing award and fund; and (3) the twenty-first century scholars non-credit bearing award and fund (collectively referred to as programs). Provides that the programs shall be administered by the commission. Adds definition of a "qualified career and technical education program". Provides that students who attend qualified career and technical education may qualify to participate in the programs. Requires the state auditor to transfer, for the state fiscal year beginning July 1, 2018, to the commission 40% of the appropriation to the commission for higher education for: (1) higher education awards; (2) freedom of choice awards; and (3) twenty-first century scholars awards; to the programs funds in order to provide awards to students who attend qualified career and technical programs. Makes conforming and technical amendments.



January 22, 2018

Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 50

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

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

1 SECTION 1. IC 2-5-41 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 41. Pell Grant Review Committee**

5 **Sec. 1. As used in this chapter, "apprenticeship program"**
6 **means an apprenticeship program registered under the federal**
7 **National Apprenticeship Act (29 U.S.C. 50 et seq.) or another**
8 **federal apprenticeship program administered by the United States**
9 **Department of Labor.**

10 **Sec. 2. As used in this chapter, "committee" refers to the Pell**
11 **grant review committee established by section 4 of this chapter.**

12 **Sec. 3. As used in this chapter, "Pell grant" means the federal**
13 **financial aid program established by 20 U.S.C. 1070a.**

14 **Sec. 4. The Pell grant review committee is established to:**

- 15 (1) **study the requirements for the award of a Pell grant,**
16 **including the postsecondary courses of study for which a Pell**
17 **grant may be awarded;**

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1 (2) determine whether those courses of study include
 2 programs that award diplomas, technical certificates,
 3 industry recognized certifications, credentials, or degrees
 4 other than a baccalaureate degree, or an apprenticeship
 5 program; and

6 (3) submit, not later than November 1, 2018, to the governor
 7 and the legislative council a report concerning the results of
 8 the study. The report to the legislative council must be in an
 9 electronic format under IC 5-14-6.

10 **Sec. 5. The committee consists of ten (10) members as follows:**

11 (1) One (1) legislative member appointed by the speaker of the
 12 house of representatives.

13 (2) One (1) legislative member appointed by the minority
 14 leader of the house of representatives.

15 (3) One (1) legislative member appointed by the president pro
 16 tempore of the senate.

17 (4) One (1) legislative member appointed by the minority
 18 leader of the senate.

19 (5) The commissioner of the commission for high education.

20 (6) The commissioner of the commission for technical
 21 education.

22 (7) The president of Ivy Tech Community College.

23 (8) One (1) member representing manufacturing in Indiana
 24 appointed by the speaker of the house of representatives.

25 (9) One (1) member representing the business community in
 26 Indiana appointed by the president pro tempore of the senate.

27 (10) One (1) member of the governor's staff appointed by the
 28 governor.

29 **Sec. 6. (a) The legislative member appointed under section 5(3)**
 30 **shall serve as the chairperson of the committee.**

31 (b) If a vacancy exists on the committee, the person who
 32 appointed the member whose position is vacant shall promptly
 33 appoint an individual to fill the vacancy using the criteria in section
 34 5 of this chapter.

35 **Sec. 7. Each member of the committee is entitled to receive the**
 36 **same per diem, mileage, and travel allowances paid to individuals**
 37 **who serve as legislative and lay members, respectively, of interim**
 38 **study committees established by the legislative council.**

39 **Sec. 8. The affirmative votes of a majority of the members**
 40 **appointed to the committee are required for the committee to take**
 41 **action on any measure, including final reports.**

42 **Sec. 9. (a) The legislative services agency, with the assistance of**



1 the commission for higher education, shall provide staff support
2 for the committee.

3 (b) With the prior written approval of the chair and vice chair
4 of the legislative council, the committee may employ a consultant
5 to assist the committee with its duties.

6 (c) All funds necessary for the committee to carry out its duties
7 shall be paid from appropriations to the legislative council and the
8 legislative services agency.

9 **Sec. 10. This chapter expires December 31, 2018.**

10 SECTION 2. IC 6-3.1-35 IS ADDED TO THE INDIANA CODE
11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2018]:

13 **Chapter 35. Employee Relocation Tax Credit**

14 **Sec. 1. As used in this chapter, "high demand, unfilled job"**
15 **means a job that meets the following requirements:**

16 (1) The job requires specific skills or training that is in high
17 demand in the labor market in Indiana as determined by the
18 department of workforce development using both short term
19 and long term job growth projection data.

20 (2) Vacancies for the job typically remain unfilled for at least
21 one hundred eighty (180) days due to a lack of qualified job
22 candidates.

23 (3) The inability to fill the job vacancy impedes economic
24 expansion in Indiana as determined by the department of
25 workforce development.

26 **Sec. 2. As used in this chapter, "registry" means the high**
27 **demand, unfilled jobs registry established by the department of**
28 **workforce development under section 6 of this chapter.**

29 **Sec. 3. As used in this chapter, "tax credit certificate" means a**
30 **tax credit certificate issued by the department of workforce**
31 **development to a taxpayer under section 7 of this chapter.**

32 **Sec. 4. As used in this chapter, "taxpayer" means an individual**
33 **that has any state income tax liability.**

34 **Sec. 5. The tax credit provided by this chapter applies only to**
35 **taxable years beginning in 2019, 2020, and 2021.**

36 **Sec. 6. (a) The department of workforce development shall**
37 **establish and maintain a registry of high demand, unfilled jobs in**
38 **the following occupational classifications or categories in Indiana:**

39 (1) Manufacturing.

40 (2) Science, technology, engineering, and mathematics.

41 (b) The department of workforce development shall annually
42 review job growth projection data in Indiana and update the



1 registry under this section as needed.

2 **Sec. 7. (a) A taxpayer may apply to the department of workforce**
 3 **development for a tax credit certificate for purposes of claiming a**
 4 **tax credit under this chapter not later than ten (10) days after the**
 5 **one (1) year anniversary date of the taxpayer's initial hiring date**
 6 **with an employer in Indiana.**

7 **(b) A taxpayer who applies for a tax credit certificate under**
 8 **subsection (a) must provide the department of workforce**
 9 **development with all information that the department of**
 10 **workforce development considers necessary for the department of**
 11 **workforce development to:**

12 **(1) confirm the taxpayer's new employment with an employer**
 13 **in Indiana; and**

14 **(2) determine whether the taxpayer's new job is a high**
 15 **demand, unfilled job that is listed on the registry established**
 16 **under section 6 of this chapter on the taxpayer's initial hiring**
 17 **date.**

18 **(c) The department of workforce development shall review an**
 19 **application for a tax credit certificate under this section and must**
 20 **either issue a tax credit certificate to the taxpayer, or notify the**
 21 **taxpayer in writing that the applicant does not meet the**
 22 **requirements for a tax credit certificate, within thirty (30) days of**
 23 **receipt of the application.**

24 **(d) The department of workforce development may establish an**
 25 **online application platform for a taxpayer to submit an application**
 26 **for a tax credit certificate under this section.**

27 **Sec. 8. (a) Subject to subsection (b), a taxpayer that meets the**
 28 **following requirements is entitled to a tax credit under this chapter**
 29 **for the taxable year:**

30 **(1) During the previous year, the taxpayer relocated to**
 31 **Indiana from outside the state to accept a job that is listed as**
 32 **a high demand, unfilled job on the department of workforce**
 33 **development registry as of the taxpayer's initial hiring date**
 34 **with the Indiana employer.**

35 **(2) The taxpayer has a valid tax credit certificate issued by the**
 36 **department of workforce development under section 7 of this**
 37 **chapter.**

38 **(3) The taxpayer is employed with the same employer that**
 39 **initially hired the taxpayer under subdivision (1) during the**
 40 **taxable year.**

41 **(4) The taxpayer continuously maintains residency in Indiana**
 42 **following the taxpayer's relocation from outside the state**



- 1 under subdivision (1).
- 2 (b) A taxpayer may claim a credit under this chapter:
- 3 (1) for the taxable year immediately following the year in
- 4 which the taxpayer relocates to Indiana from outside the state
- 5 to accept employment with an Indiana employer; and
- 6 (2) for the next succeeding taxable year following the taxable
- 7 year described in subdivision (1).
- 8 A taxpayer may not claim a credit under this chapter for more
- 9 than two (2) taxable years.
- 10 Sec. 9. (a) Subject to subsection (b), the credit amount of a tax
- 11 credit to which a taxpayer is entitled in a taxable year is equal to
- 12 one hundred percent (100%) of the taxpayer's adjusted gross
- 13 income tax liability for the taxable year.
- 14 (b) The credit amount of the tax credit that a taxpayer uses
- 15 during a particular taxable year may not exceed the sum of the
- 16 taxes imposed by IC 6-3 for the taxable year after the application
- 17 of all credits that under IC 6-3.1-1-2 are to be applied before the
- 18 credit provided by this chapter. A taxpayer is not entitled to any
- 19 carryover, carryback, or refund of any unused credit.
- 20 Sec. 10. (a) A taxpayer claiming a credit under this chapter must
- 21 claim the credit on the taxpayer's state tax return in the manner
- 22 prescribed by the department of state revenue.
- 23 (b) For each taxable year in which a taxpayer claims a credit
- 24 under this chapter, the taxpayer shall submit to the department of
- 25 state revenue:
- 26 (1) a copy of the tax credit certificate issued to the taxpayer by
- 27 the department of workforce development under section 7 of
- 28 this chapter;
- 29 (2) proof of the taxpayer's continuous employment during the
- 30 taxable year with the same employer for which the tax credit
- 31 certificate was issued; and
- 32 (3) all other information that the department of state revenue
- 33 determines necessary for purposes of this chapter.
- 34 Sec. 11. This chapter expires December 31, 2021.
- 35 SECTION 3. IC 6-3.1-36 IS ADDED TO THE INDIANA CODE
- 36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 37 JANUARY 1, 2019]:
- 38 Chapter 36. Employer Training Tax Credits
- 39 Sec. 1. (a) The purpose of this chapter is to give employers in
- 40 Indiana incentives to encourage their employees to complete the
- 41 requirements for portable workforce credentials that are required
- 42 or beneficial for targeted employment that is critical to or



1 emerging as needed by employers to conduct business in Indiana.

2 (b) The tax credit provided by this chapter applies only to
3 taxable years beginning in 2019, 2020, and 2021.

4 Sec. 2. As used in this chapter, "approved training provider"
5 means any of the following:

6 (1) A state educational institution.

7 (2) A nonprofit college or university that operates in Indiana,
8 provides an organized two (2) year or longer program of
9 collegiate grade directly creditable toward a baccalaureate
10 degree, and is accredited by a recognized regional accrediting
11 agency.

12 (3) A postsecondary credit bearing proprietary educational
13 institution that is accredited by the board for proprietary
14 education under IC 21-18.5-6 or an accrediting agency
15 recognized by the United States Department of Education and
16 operates in Indiana.

17 (4) A postsecondary proprietary educational institution
18 accredited under IC 22-4.1-21 that operates in Indiana.

19 (5) The following secondary schools operating in Indiana:

20 (A) A career and technical education center, school,
21 department, or program described in IC 20-37, including
22 a cooperative program with an employer under
23 IC 20-37-2-7.

24 (B) A charter school (as defined in IC 20-24-1-4), including
25 an adult high school (as defined in IC 20-24-1-2.3).

26 (C) An accredited nonpublic school that is accredited
27 under IC 20-19-2-8 or IC 20-19-2-10.

28 Sec. 3. As used in this chapter, "certificate" means an award
29 granted by either an educational institution or independent
30 education and training provider associated with successful
31 completion of a specific program of study. Educational and
32 training programs teach students skills related to specific
33 occupations. Certificate programs are generally created, taught,
34 and assessed directly by the provider of a program. Students are
35 awarded certificates after successfully completing instruction and
36 demonstrating proficiency through provider administered exams.
37 The term includes an associate degree requiring at least sixty (60)
38 credit hours of instruction.

39 Sec. 4. As used in this chapter, "certification", when not issued
40 by a governmental entity, means a type of award to an individual
41 that demonstrates proficiency and knowledge, through
42 examination, in a specific industry or trade. As opposed to a



1 certificate, obtaining a certification award is not dependent on any
2 actual education or training program. Instead, evaluating
3 candidates for certification relies on independent, third party
4 professional and industry based groups. These national
5 organizations develop and maintain relevant proficiency standards
6 that are assessed and sanctioned by industry approved examination
7 facilities, independent of any educational institution or training
8 program. Certifications often have an expiration date, requiring
9 individuals to participate in continuing education or reexamination
10 in order to stay current. This characterization of certification
11 awards has been accepted and endorsed by national entities, such
12 as the National Association of Manufacturers (NAM) and the
13 American Association of Community Colleges.

14 Sec. 5. As used in this chapter, "cooperative credential
15 assessment service" means a service that:

- 16 (1) provides testing or other examination services after
17 December 31, 2018, that assess competency for one (1) or
18 more types of portable workforce credentials; and
19 (2) has a cooperative arrangement with an employer with a
20 business location in Indiana to assess competency for and
21 award portable workforce credentials to covered individuals
22 for targeted employment that are critical to or emerging as
23 needed by the employer to carry out the employer's business
24 in Indiana.

25 Sec. 6. As used in this chapter, "cooperative training program"
26 means a course of study initiated after December 31, 2018, through
27 a cooperative arrangement between an approved training provider
28 and an employer with a business location in Indiana, to prepare
29 covered individuals or fulfill an instructional requirement for an
30 award of one (1) or more types of portable workforce credentials
31 that demonstrate knowledge, skills, and competencies for targeted
32 employment that are critical to or emerging as needed by an
33 employer seeking a tax credit under this chapter to carry out the
34 employer's business in Indiana.

35 Sec. 7. As used in this chapter, "covered individual" means the
36 following:

- 37 (1) An employee of an employer claiming a tax credit under
38 this chapter who is employed at a location in Indiana.
39 (2) A student enrolled in Indiana in a course of study at an
40 approved training provider that prepares the student for or
41 is an instructional requirement for a portable workforce
42 credential.



1 The term does not include an individual who is an owner, a
2 shareholder, a partner, or a member of a taxpayer claiming a tax
3 credit or an individual making otherwise eligible expenditures or
4 eligible donations so the same individual obtains instruction in a
5 cooperative training program or a cooperative credential
6 assessment service.

7 Sec. 8. As used in this chapter, "credit amount" means the
8 amount determined under section 19 of this chapter.

9 Sec. 9. As used in this chapter, "eligible donation" means the
10 amount that could be deducted in a taxpayer's federal tax return
11 for property donated to an approved training provider (if the
12 approved training provider was a nonprofit organization exempt
13 from federal income taxation under Section 501(c)(3)) for property
14 used exclusively in a cooperative training program or a cooperative
15 credential assessment service.

16 Sec. 10. As used in this chapter, "eligible expense" means any
17 combination of the following:

18 (1) Direct out-of-pocket labor costs or grants of a taxpayer for
19 a covered individual while the covered individual is engaged
20 in a cooperative training program or an assessment related to
21 a cooperative credential assessment service, including
22 instruction, instruction preparation, other program delivery
23 time, and transportation to and from an approved training
24 provider for a cooperative training program or cooperative
25 credential assessment service.

26 (2) Tuition costs and fees paid by a taxpayer to an approved
27 training provider for a cooperative training program or a
28 cooperative credential assessment service for a covered
29 individual.

30 (3) Direct out-of-pocket transportation costs of a taxpayer,
31 including reimbursement to a covered individual, to transport
32 a covered individual to and from the location of training in a
33 cooperative training program or the location of an assessment
34 related to a cooperative credential assessment service, other
35 than commuting costs that would not be deductible by the
36 covered individual on the covered individual's federal income
37 tax return if the covered individual elected to itemize
38 expenses.

39 (4) Direct out-of-pocket costs to a taxpayer of devoting
40 facilities of the taxpayer in Indiana exclusively to the
41 operation of a cooperative training program or a cooperative
42 credential assessment service for use by covered individuals.



1 **Sec. 11. As used in this chapter, "license" means a type of**
 2 **credential that is awarded by a governmental entity that permits**
 3 **a person to engage in an occupation or a profession, use a name or**
 4 **title associated with an occupation or a profession, or otherwise**
 5 **hold the person out as a person qualified to act within the scope of**
 6 **an occupation or a profession, regardless of whether the**
 7 **governmental entity prohibits persons without the credential to**
 8 **provide some or all of the same services. This award may be**
 9 **granted by a federal, state, or local governmental entity. A license**
 10 **signals that a person has completed or achieved certain standards.**
 11 **The term includes credentials denominated by names other than**
 12 **"license", such as "registration", "certification", and**
 13 **"endorsement", when the credential is awarded and regulated by**
 14 **a governmental entity.**

15 **Sec. 12. As used in this chapter, "pass through entity" means a:**

- 16 (1) corporation that is exempt from the adjusted gross income
- 17 tax under IC 6-3-2-2.8(2);
- 18 (2) partnership;
- 19 (3) trust;
- 20 (4) limited liability company; or
- 21 (5) limited liability partnership.

22 **Sec. 13. (a) As used in this chapter, "portable workforce**
 23 **credential" refers to a certificate, certification, or license that:**

- 24 (1) demonstrates knowledge, skills, and competencies for
- 25 targeted employment that is critical to or emerging as needed
- 26 by a taxpayer seeking a tax credit under this chapter to carry
- 27 out the taxpayer's business in Indiana; and
- 28 (2) has portability, uniformity, and applicability in the
- 29 industry in which the taxpayer is engaged in Indiana.

30 **The term includes stackable, short term credentials with clear**
 31 **labor market value that build toward another portable workforce**
 32 **credential.**

33 **(b) A credential meets the criteria of:**

- 34 (1) portability, if competencies associated with the credential
- 35 are authenticated by an impartial third party and the value
- 36 and features of the credential are not bound to a particular
- 37 region or employer;
- 38 (2) uniformity, if the exams and demonstrations required for
- 39 the award of a credential are standardized and help validate
- 40 skills and knowledge consistently within an industry; and
- 41 (3) applicability, if the requirements for the certification keep
- 42 current with the latest industry standards and required



1 proficiencies.

2 **Sec. 14.** As used in this chapter, "state tax liability" means a
3 taxpayer's total tax liability that is incurred under:

- 4 (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
5 (2) IC 27-1-18-2 (the insurance premiums tax); and
6 (3) IC 6-5.5 (the financial institutions tax);

7 as computed after the application of the credits that under
8 IC 6-3.1-1-2 are to be applied before the credit provided by this
9 chapter.

10 **Sec. 15.** As used in this chapter, "targeted employment" means
11 employment in Indiana in any of the following business activities:

- 12 (1) Manufacturing.
13 (2) Health care.
14 (3) Information technology.
15 (4) Logistics.

16 **Sec. 16.** As used in this chapter, "taxpayer" means an individual
17 or an entity (including a corporation, a limited liability company,
18 a limited liability partnership, or a partnership) that has any state
19 tax liability.

20 **Sec. 17.** As used in this chapter, "tax credit" refers to a tax
21 credit for which a taxpayer is eligible under this chapter.

22 **Sec. 18.** A taxpayer that makes a qualifying training expenditure
23 in a particular taxable year beginning after December 31, 2018,
24 and before January 1, 2022, is entitled to a tax credit under this
25 chapter for the taxable year.

26 **Sec. 19.** The credit amount of a tax credit to which a taxpayer
27 is entitled in a taxable year is equal to one hundred percent (100%)
28 of the sum of the taxpayer's eligible expenses and eligible donations
29 in that taxable year. However:

- 30 (1) a taxpayer is not eligible for a tax credit under this chapter
31 if the taxpayer claims a tax credit under another chapter in
32 this article for the same eligible expense or eligible donation;
33 (2) the maximum amount that a taxpayer may claim in any
34 one (1) taxable year for eligible expenses incurred and eligible
35 donations made in that taxable year is the lesser of:

36 (A) the amount of the credit allowances allocated to the
37 taxpayer by the department of workforce development for
38 that taxable year under section 22 of this chapter; or

39 (B) forty thousand dollars (\$40,000); and

40 (3) the maximum amount that a taxpayer may claim for
41 eligible expenses for any one (1) individual in a taxable year
42 is five thousand dollars (\$5,000).



1 **Sec. 20. (a)** The credit amount of the tax credit that a taxpayer
 2 uses during a particular taxable year may not exceed the sum of
 3 the taxes imposed by IC 6-3 for the taxable year after the
 4 application of all credits that under IC 6-3.1-1-2 are to be applied
 5 before the credit provided by this chapter. If the tax credit
 6 provided by this chapter exceeds that sum for the taxable year for
 7 which the tax credit is first claimed, the excess may be carried over
 8 to succeeding taxable years and used as a tax credit against the tax
 9 otherwise due and payable by the taxpayer under IC 6-3 during
 10 those taxable years. Each time the credit is carried over to a
 11 succeeding taxable year, it is to be reduced by the amount that was
 12 used as a tax credit during the immediately preceding taxable year.
 13 The tax credit provided by this chapter may be carried forward
 14 and applied to succeeding taxable years for ten (10) taxable years
 15 following the unused credit year.

16 **(b)** A tax credit earned by a taxpayer in a particular taxable
 17 year shall be applied against the taxpayer's tax liability for that
 18 taxable year before any credit carryover is applied against that
 19 liability under subsection (a).

20 **(c)** A taxpayer is not entitled to any carryback or refund of any
 21 unused credit.

22 **Sec. 21. (a)** If a pass through entity does not have state tax
 23 liability against which the tax credit may be applied, a shareholder,
 24 partner, or member of the pass through entity is entitled to a tax
 25 credit equal to:

26 **(1)** the credit amount determined for the pass through entity
 27 for the taxable year; multiplied by

28 **(2)** the percentage of the pass through entity's distributive
 29 income to which the shareholder, partner, or member is
 30 entitled.

31 **(b)** The credit provided under subsection (a) is in addition to a
 32 tax credit to which a shareholder, partner, or member of a pass
 33 through entity is otherwise entitled under this chapter. However,
 34 a pass through entity and a shareholder, partner, or member of the
 35 pass through entity may not claim a credit under this chapter for
 36 the same qualified training expenses.

37 **Sec. 22. (a)** A taxpayer claiming a credit under this chapter must
 38 claim the credit on the taxpayer's state tax return for a taxable
 39 year beginning after December 31, 2018, in the manner prescribed
 40 by the department of state revenue. The taxpayer shall submit to
 41 the department of state revenue certification of a credit allowance
 42 by the department of workforce development, proof that the



1 taxpayer incurred eligible expenses and made eligible donations
2 equal to the allocated tax credit, and all information that the
3 department of state revenue determines necessary for the
4 calculation of the credit provided by this chapter and the
5 determination of whether the credit was properly claimed.

6 (b) The commission for technical education (IC 22-4.3-2) shall
7 identify workforce training programs that are underperforming
8 and request that the budget agency reduce allotments for one (1)
9 or more of those programs for each state fiscal year ending in 2019,
10 2020, and 2021. The budget agency shall notify the department of
11 workforce development of the amount of the reductions for each
12 state fiscal year. The aggregate amount of tax credits that the
13 department of workforce development may allow for all taxpayers
14 under this chapter for eligible expenditures and eligible donations
15 made in any particular state fiscal year may not exceed the amount
16 the state budget agency has reduced allotments for workforce
17 training programs during that state fiscal year. The aggregate
18 amount of tax credits that the department of workforce
19 development may allow for any combination of eligible
20 expenditures and eligible donations made before January 1, 2019,
21 is zero dollars (\$0).

22 (c) The department of workforce development shall record the
23 time of filing of each application for allowance of a tax credit under
24 this section and shall approve the applications, if the applicants
25 otherwise qualify for a tax credit under this chapter, in the
26 chronological order in which the applications are filed in the state
27 fiscal year. When the total credits approved under this section
28 equal the maximum amount allowable in a state fiscal year, no
29 application thereafter filed for that same state fiscal year shall be
30 approved. However, if an applicant for whom a credit has been
31 approved fails to demonstrate that the taxpayer incurred eligible
32 expenses and made eligible donations equal to an amount equal to
33 the credit previously allowed or set aside for the applicant, the
34 unused credit may be allowed to any subsequent applicant in the
35 state fiscal year.

36 Sec. 23. (a) Beginning not later than January 1, 2019, the
37 department of workforce development shall maintain an online
38 search tool that allows users to identify:

39 (1) portable workforce credentials for which eligible
40 expenditures and eligible donations would qualify an
41 employer for a credit under this chapter when required or
42 beneficial for targeted employment that is critical to or



1 emerging as needed by the employer to conduct business in
2 Indiana; and

3 (2) approved training providers that are available to provide
4 cooperative training programs or cooperative credential
5 assessment services for each of the portable workforce
6 credentials described in subdivision (1).

7 (b) State agencies and organizations that supervise or
8 administer programs of career and technical education or
9 coordinate career and technical education or policy shall assist the
10 department of workforce development, as requested by the
11 department of workforce development, to develop and operate the
12 online search tool required by this section, including the following:

13 (1) The Indiana economic development corporation.

14 (2) The Indiana career council.

15 (3) The department of labor.

16 (4) Indiana works councils.

17 (5) The state workforce innovation council.

18 (6) The superintendent of public instruction, the department
19 of education, and the state board of education, including the
20 advisory committee on career and technical education.

21 (7) The commission for higher education and state
22 educational institutions.

23 (8) The board for proprietary education.

24 (9) The commission for technical education.

25 In making its determinations under this section, the department of
26 workforce development is not limited to the terminology or
27 characterizations of credentials or jobs used for other purposes by
28 another state agency or organization.

29 (c) The department of workforce development shall keep the
30 information in the online search tool available through the online
31 search tool current and add information as the department of
32 workforce development identifies additional portable workforce
33 credentials and approved training providers that would qualify a
34 taxpayer for a credit under this chapter. The department of
35 workforce development may award an allotment of tax credits
36 under this chapter to a taxpayer that makes an eligible expenditure
37 or eligible donation related to a portable workforce credential or
38 approved training provider that is not in the data base used for the
39 online search tool.

40 Sec. 24. The department of workforce development and the
41 department of state revenue may adopt rules under IC 4-22-2,
42 including emergency rules under IC 4-22-2-37.1, and issue nonrule



1 policy documents, as necessary or appropriate, to carry out the
2 purpose of this chapter.

3 **Sec. 25.** This chapter expires December 31, 2021. However, the
4 expiration of this chapter does not prohibit a taxpayer from
5 claiming a tax credit earned for a taxable year beginning in 2021,
6 or from applying an unused tax credit in conformity with sections
7 20 and 21 of this chapter (before their expiration) in a taxable year
8 ending after December 31, 2021.

9 SECTION 4. IC 20-20-45 IS ADDED TO THE INDIANA CODE
10 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2018]:

12 **Chapter 45. Career Coaching Program**

13 **Sec. 1.** As used in this chapter, "postsecondary career and
14 technical education" means any postsecondary training, less than
15 a baccalaureate level vocational, agricultural, occupational,
16 manpower, employment, or technical training or retraining, that:

- 17 (1) is offered by a state provider; and
- 18 (2) enhances an individual's employment opportunities or
19 career potential.

20 **Sec. 2.** As used in this chapter, "high school" means a high
21 school that is:

- 22 (1) maintained by a school corporation;
- 23 (2) a charter school; or
- 24 (3) an accredited nonpublic school.

25 **Sec. 3.** As used in this chapter, "Ivy Tech Community College"
26 means the state educational institution established by IC 21-22-2-1.

27 **Sec. 4.** As used in this chapter, "program" refers to the career
28 coaching program described in section 7 of this chapter.

29 **Sec. 5.** As used in this chapter, "state provider" has the meaning
30 set forth in IC 22-4.1-1-5.5.

31 **Sec. 6.** As used in this chapter, "Vincennes University" means
32 the state educational institution established by IC 21-25-2-1.

33 **Sec. 7. (a)** Ivy Tech Community College, in collaboration with
34 Vincennes University, shall develop a career coaching program to
35 provide information and support to high school students and their
36 parents to encourage and assist students in successfully:

- 37 (1) enrolling in and completing postsecondary career and
38 technical education; or
- 39 (2) obtaining a high demand job after completing high school.

40 **(b)** Ivy Tech Community College and Vincennes University shall
41 do the following:

- 42 (1) Work with local employers, school superintendents and



1 principals, local government officials, and other local key
 2 leaders to develop the program in different geographic
 3 regions in the state.

4 (2) Administer the program.

5 (3) Hire, train, and supervise the individuals serving as career
 6 coaches.

7 (4) Develop and report on criteria or measurements used to
 8 determine the success of the program.

9 (5) Submit before November 1 each year, beginning in 2019,
 10 to the governor, the state board of education, and, in an
 11 electronic format under IC 5-14-6, the legislative council, a
 12 report concerning the program, including recommendations
 13 for changes to the program.

14 **Sec. 8. The career coaches shall do the following:**

15 (1) Work with school counselors to supplement career services
 16 that are currently available through the high schools, colleges,
 17 employers, and community organizations, including
 18 exploration of available and in demand jobs and careers,
 19 admissions processes, scholarships and financial aid
 20 resources, course selection, tutoring, development of a career
 21 plan, and resume and job interview preparation.

22 (2) Develop and conduct group meetings with students,
 23 students and parents, and school counselors concerning the
 24 topics listed in subdivision (1).

25 (3) Develop and support employer partnerships with high
 26 schools, including student career workshops, tours, industry
 27 visits, and other experiential learning opportunities.

28 (4) Provide information and support to students on the
 29 transition from high school to postsecondary study to work.

30 (5) Provide one-on-one coaching to students in:

31 (A) developing and reviewing a graduation plan; or

32 (B) career counseling.

33 (6) Conduct all activities in compliance with the established
 34 guidelines of the federal Family Educational Rights and
 35 Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99).

36 **Sec. 9. (a) All high schools in Indiana shall participate in the**
 37 **program.**

38 (b) A career coach is not an employee of a high school or school
 39 corporation.

40 (c) A high school or school corporation may not pay:

41 (1) for the services of a career coach; or

42 (2) to participate in the program.



1 SECTION 5. IC 20-32-4-1.5, AS ADDED BY P.L.242-2017,
 2 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2018]: Sec. 1.5. (a) This section applies after June 30, 2018.

4 (b) Except as provided in sections 4, 5, 6, 7, 8, 9, and 10 of this
 5 chapter, each student shall:

6 (1) demonstrate college or career readiness through a pathway
 7 established by the state board, in consultation with the department
 8 of workforce development and the commission for higher
 9 education;

10 (2) meet the Core 40 course and credit requirements adopted by
 11 the state board under IC 20-30-10; and

12 (3) meet any additional requirements established by the governing
 13 body;

14 to be eligible to graduate.

15 (c) The state board shall establish graduation pathway requirements
 16 under subsection (b)(1) in consultation with the department of
 17 workforce development and the commission for higher education. A
 18 graduation pathway requirement may include the following options
 19 approved by the state board:

20 (1) End of course assessments measuring academic standards in
 21 subjects determined by the state board.

22 (2) International baccalaureate exams.

23 (3) Nationally recognized college entrance assessments.

24 (4) Advanced placement exams.

25 (5) Assessments necessary to receive college credit for dual credit
 26 courses.

27 (6) Industry recognized certificates.

28 (7) The Armed Services Vocational Aptitude Battery.

29 (8) Any other pathway approved by the state board.

30 (d) If the state board establishes a nationally recognized college
 31 entrance exam as a graduation pathway requirement, the nationally
 32 recognized college entrance exam must be offered to a student at the
 33 school in which the student is enrolled and during the normal school
 34 day.

35 **(e) When an apprenticeship is established as a graduation**
 36 **pathway requirement, the state board shall establish as an**
 37 **apprenticeship only an apprenticeship program registered under**
 38 **the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or**
 39 **another federal apprenticeship program administered by the**
 40 **United States Department of Labor.**

41 SECTION 6. IC 20-43-8-0.3 IS ADDED TO THE INDIANA CODE
 42 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2018]: **Sec. 0.3. As used in this chapter, "apprenticeship" or "apprenticeship program" means an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.**

SECTION 7. IC 20-43-8-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.7. As used in this chapter, "work based learning course" means a program, delivered in an employment relationship, that provides a worker with paid work experience and corresponding classroom instruction.**

SECTION 8. IC 21-12-6-4, AS AMENDED BY P.L.107-2012, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 4. (a) A scholarship or award recipient may apply a scholarship under this chapter or an award made under IC 22-4.4-5-4 to the educational costs of a postsecondary educational institution only if the postsecondary educational institution qualifies under this section: that qualifies under subsection (b) or a qualified career and technical program (as defined in IC 22-4.4-1-6).**

(b) For a postsecondary educational institution to qualify under this section, the postsecondary educational institution must satisfy the following requirements:

- (1) Be an approved postsecondary educational institution.
- (2) Be accredited by an agency that is recognized by the Secretary of the United States Department of Education.
- (3) Operate an organized program of postsecondary education leading to an associate or a baccalaureate degree on a campus located in Indiana.
- (4) Be approved by the commission:
 - (A) under rules adopted under IC 4-22-2; and
 - (B) in consultation with the board for proprietary education established by IC 21-18.5-5-1, if appropriate.

SECTION 9. IC 21-12-6-6, AS AMENDED BY P.L.165-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6. (a) A student may apply to the commission for a scholarship. to participate in the program or the twenty-first century scholars non-credit bearing award program under IC 22-4.4-5. To qualify for a scholarship or award under IC 22-4.4-5, the student must meet the following requirements:**

- (1) Be an eligible student who qualified to participate in the program under section 5 of this chapter.
- (2) Be a resident of Indiana.



- 1 (3) Be a graduate from a secondary school located in Indiana that
 2 meets the admission criteria of an eligible institution and have
 3 achieved a cumulative grade point average in high school of:
 4 (A) at least 2.0 on a 4.0 grading scale, if the student is
 5 expected to graduate from high school before July 1, 2014; and
 6 (B) at least 2.5 on a 4.0 grading scale, if the student is
 7 expected to graduate from high school after June 30, 2014.
 8 (4) Have applied to attend and be accepted to attend as a full-time
 9 student an eligible institution.
 10 (5) Certify in writing that before the student's graduation from
 11 high school the student:
 12 (A) did not illegally use controlled substances (as defined in
 13 IC 35-48-1-9);
 14 (B) did not illegally consume alcoholic beverages;
 15 (C) did not commit any other crime or a delinquent act (as
 16 described in IC 31-37-1-2 or IC 31-37-2-2 through
 17 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5)
 18 before their repeal));
 19 (D) timely filed an application for other types of financial
 20 assistance available to the student from the state or federal
 21 government; and
 22 (E) completed an academic success program required under
 23 the rules adopted by the commission.
 24 (6) Submit to the commission all the information and evidence
 25 required by the commission to determine eligibility as a
 26 scholarship **or award** applicant.
 27 (7) This subdivision applies only to applicants who initially enroll
 28 in the program under section 5 of this chapter or IC 21-12-6.5-2
 29 after June 30, 2011. For purposes of this chapter, applicants who
 30 are enrolled in the program before July 1, 2011, will not have an
 31 income or financial resources test applied to them when they
 32 subsequently apply for a scholarship **or award**. Have a lack of
 33 financial resources reasonably available to the applicant, as
 34 defined by the commission, that, in the absence of an award under
 35 this chapter, would deter the scholarship **or award** applicant from
 36 completing the applicant's education **in a qualified career and**
 37 **technical education program (as defined in IC 22-4.4-1-6) or**
 38 at the approved postsecondary educational institution that the
 39 applicant has selected and that has accepted the applicant.
 40 (8) Meet any other minimum criteria established by the
 41 commission.
 42 (b) This section applies to an individual who graduates from high



1 school after December 31, 2011. To be eligible for a scholarship under
 2 this section, a student must initially attend an eligible institution
 3 described in subsection (a)(4), not later than the fall semester (or its
 4 equivalent, as determined by the commission) in the year immediately
 5 following the year in which the student graduates from high school.

6 **(c) The commission must forward applications to the**
 7 **commission for technical education if an individual applies for a**
 8 **twenty-first century non-credit bearing award under IC 22-4.4-5.**
 9 **The commission shall develop a plan to share information**
 10 **necessary for the commission for technical education to administer**
 11 **the twenty-first century non-credit bearing award program under**
 12 **IC 22-4.4-5.**

13 SECTION 10. IC 21-12-6-9, AS ADDED BY P.L.2-2007,
 14 SECTION 253, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2018]: Sec. 9. If an eligible student, a
 16 scholarship applicant, or a scholarship recipient violates an agreement
 17 entered into under this chapter, the eligible student, scholarship
 18 applicant, or scholarship recipient is disqualified from further
 19 consideration as a scholarship recipient under this chapter **or as an**
 20 **award applicant, or award recipient under IC 22-4.4-5.**

21 SECTION 11. IC 22-4.3 IS ADDED TO THE INDIANA CODE AS
 22 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 23 2018]:

24 **ARTICLE 4.3. COMMISSION FOR TECHNICAL**
 25 **EDUCATION**

26 **Chapter 1. Definitions**

27 **Sec. 1. The definitions in this chapter apply throughout this**
 28 **article.**

29 **Sec. 2. "Career and technical education" means any secondary**
 30 **or postsecondary training, less than a baccalaureate level**
 31 **vocational, agricultural, occupational, manpower, employment, or**
 32 **technical training or retraining, that:**

33 **(1) is offered by a state provider; and**

34 **(2) enhances an individual's employment opportunities or**
 35 **career potential.**

36 **Sec. 3. "Commission" refers to the commission for technical**
 37 **education.**

38 **Sec. 4. "State provider" has the meaning set forth in**
 39 **IC 22-4.1-1-5.5.**

40 **Sec. 5. "Workforce related program" has the meaning set forth**
 41 **in IC 22-4.1-1-7.**

42 **Chapter 2. Creation**



1 **Sec. 1. A commission is established as an instrumentality and an**
 2 **agency of the state.**

3 **Sec. 2. The commission shall be known as the Commission for**
 4 **Technical Education of the State of Indiana.**

5 **Sec. 3. The commission may sue and be sued in the name of the**
 6 **commission.**

7 **Chapter 3. Membership**

8 **Sec. 1. (a) The commission consists of twenty-one (21) members**
 9 **appointed as follows:**

10 **(1) Five (5) members appointed by the governor who are**
 11 **members of the business community in Indiana representing**
 12 **five (5) different geographic regions of the state.**

13 **(2) Five (5) members appointed by the governor who are**
 14 **members of the industrial community in Indiana representing**
 15 **five (5) different geographic regions of the state.**

16 **(3) One (1) member representing the department of**
 17 **workforce development appointed by the governor.**

18 **(4) One (1) member representing the Indiana economic**
 19 **development corporation appointed by the governor.**

20 **(5) One (1) member representing the department of education**
 21 **appointed by the governor.**

22 **(6) One (1) member representing the state education**
 23 **institution established by IC 21-22-2-1 appointed by the**
 24 **governor.**

25 **(7) One (1) member representing the state educational**
 26 **institution established by IC 21-25-2-1 appointed by the**
 27 **governor.**

28 **(8) One (1) member of a trade association representing**
 29 **manufacturing in Indiana appointed by the governor.**

30 **(9) One (1) member representing the business community in**
 31 **Indiana appointed by the governor.**

32 **(10) Two (2) members of the house of representatives, one**
 33 **member (1) appointed by the speaker of the house of**
 34 **representatives and one (1) member appointed by the**
 35 **minority leader of the house of representatives. The members**
 36 **appointed under this subdivision serve as advisory nonvoting**
 37 **members of the commission.**

38 **(11) Two (2) members of the senate, one (1) member**
 39 **appointed by the president pro tempore of the senate and one**
 40 **(1) member appointed by the minority leader of the senate.**

41 **The members appointed under this subdivision serve as**
 42 **advisory nonvoting members of the commission.**



1 (b) Each member must be a resident of Indiana.

2 (c) Appointments to the commission are for a term of four (4)
3 years. A person appointing members to the commission shall make
4 the initial appointments not later than August 1, 2018.

5 (d) The term of an appointed member begins on July 1 of the
6 year of appointment and continues until a successor has been
7 appointed.

8 (e) If a vacancy of an appointed member of the commission
9 occurs, the person who appointed the member whose position is
10 vacant shall promptly appoint an individual to fill the vacancy
11 using the criteria in subsection (a).

12 Sec. 2. The commission shall elect from its membership:

- 13 (1) a chair;
14 (2) a vice chair; and
15 (3) other necessary officers.

16 Sec. 3. (a) A majority of the members of the commission
17 constitutes a quorum for the purpose of conducting business.

18 (b) The affirmative votes of a majority of the members of the
19 commission are required for the commission to take official action.

20 Sec. 4. (a) Each member of the commission who is not a state
21 employee or is not a member of the general assembly is entitled to
22 the following:

- 23 (1) The salary per diem provided under IC 4-10-11-2.1(b).
24 (2) Reimbursement for traveling expenses provided under
25 IC 4-13-1-4.
26 (3) Other expenses actually incurred in connection with the
27 member's duties as provided by state policies and procedures
28 established by the department of administration and
29 approved by the budget agency.

30 (b) Each member of the commission who is a state employee but
31 not a member of the general assembly is entitled to the following:

- 32 (1) Reimbursement for traveling expenses as provided under
33 IC 4-13-1-4.
34 (2) Other expenses actually incurred in connection with the
35 member's duties as provided by state policies and procedures
36 established by the department of administration and
37 approved by the budget agency.

38 (c) Each member of the commission who is a member of the
39 general assembly is entitled to the same:

- 40 (1) per diem;
41 (2) mileage; and
42 (3) travel allowances;



1 paid to legislative members of interim study committees
 2 established by the legislative council. Per diem, mileage, and travel
 3 allowances paid under this subsection shall be paid from
 4 appropriations made to the legislative services agency.

5 **Chapter 4. Administration**

6 **Sec. 1.** The commission is a public institution for purposes of
 7 IC 5-11-1 and subject to the jurisdiction of the state board of
 8 accounts as provided in IC 5-11-1.

9 **Sec. 2.** IC 4-13-1, IC 4-13-2, IC 4-13.6, and IC 5-22 apply to the
 10 commission to the same extent these provisions apply to state
 11 educational institutions.

12 **Sec. 3. (a)** This section applies whenever a contract for the
 13 procurement of property for the commission is awarded by
 14 acceptance of bids, proposals, or quotations.

15 **(b)** A bid, proposal, or quotation submitted by a trust (as
 16 defined in IC 30-4-1-1(a)) must identify each:

- 17 (1) beneficiary of the trust; and
- 18 (2) settlor empowered to revoke or modify the trust.

19 **Sec. 4.** The commission may:

- 20 (1) designate and employ an executive officer and necessary
- 21 employees;
- 22 (2) designate the titles of the executive officer and necessary
- 23 employees; and
- 24 (3) fix the compensation in terms of the employment.

25 **Chapter 5. Purposes; General Powers; Limitations**

26 **Sec. 1.** Notwithstanding any other law, the general purposes of
 27 the commission are the following:

28 (1) Plan for, coordinate, oversee, and make recommendations
 29 regarding Indiana's system of career and technical education
 30 offered by the following:

- 31 (A) Ivy Tech Community College established by
- 32 IC 21-22-2-1.
- 33 (B) Vincennes University established by IC 21-25-2-1.
- 34 (C) Secondary level career and technical education
- 35 programs.
- 36 (D) Career and technical education centers, schools, or
- 37 departments established under IC 20-37-2.
- 38 (E) State providers of workforce related programs.

39 (2) Review appropriation requests of the career and technical
 40 education providers listed in subdivision (1).

41 (3) Make recommendations to the governor, the budget
 42 agency, or the general assembly concerning career and



1 technical education programs.

2 (4) Perform other functions assigned by the governor or the
3 general assembly.

4 Sec. 2. (a) If designated by the governor or the general assembly,
5 the commission may serve as the agency to receive or administer
6 funds available for career and technical education:

- 7 (1) programs;
8 (2) projects; and
9 (3) facilities;

10 for any of the acts of the United States Congress if the acts of
11 Congress require the state to designate an agency or commission.

12 (b) This section does not provide for the designation of the
13 commission by the governor as the recipient of funds provided by
14 acts of the United States Congress if the general assembly
15 designates another agency, board, or commission to receive the
16 funds.

17 Sec. 3. The commission may employ all powers properly
18 incident to or connected with any of the purposes, powers, or duties
19 under this article, including the power to adopt rules.

20 Sec. 4. (a) The commission does not have the powers or
21 authority relating to the management, operation, or financing of
22 any of the career and technical education providers listed in section
23 1(1) of this chapter except as expressly set forth by law.

24 (b) All management, operations, and financing of the career and
25 technical education providers listed in section 1(1) of this chapter
26 remain exclusively vested in the boards of trustees, governing
27 bodies, or other boards of the providers.

28 Sec. 5. The commission does not have the authority to obligate
29 any tax funds or other funds of the state except for appropriations
30 made to the commission by the general assembly.

31 Chapter 6. Advisory Committees

32 Sec. 1. The commission may create advisory committees to assist
33 the commission in performing the duties of the commission.

34 Sec. 2. All advisory committees must be composed of the
35 following:

- 36 (1) Representatives of the career and technical education
37 providers.
38 (2) Representatives of the business and industrial community.
39 (3) Representatives of the department of workforce
40 development.
41 (4) Representatives of the department of education.
42 (5) Representatives of the Indiana economic development



1 corporation.

2 (6) Other qualified persons as determined by the commission.

3 **Chapter 7. Long Range Planning**

4 **Sec. 1. Notwithstanding any other law, the commission shall**

5 **develop, update, and implement a long range plan for career and**

6 **technical education in Indiana.**

7 **Sec. 2. In developing the long range plan under this chapter, the**

8 **commission shall set forth specific goals for the state's career and**

9 **technical education taking into account the following:**

10 (1) Expected workforce demands and needs of employers in

11 various career and technical education areas.

12 (2) Career and technical education and training opportunities

13 available and projected to be available to individuals of all

14 ages and abilities to meet the demands and needs identified in

15 subdivision (1).

16 **Sec. 3. In preparing the long range plan described in section 2**

17 **of this chapter, the commission shall consult with:**

18 (1) the department of workforce development;

19 (2) the department of education;

20 (3) the commission for higher education;

21 (4) the Indiana economic development corporation;

22 (5) Indiana employers and employer organizations;

23 (6) Indiana labor organizations;

24 (7) military and veterans organizations; and

25 (8) individuals and organizations with expertise in career and

26 technical education.

27 **Sec. 4. The commission shall submit a long range plan developed**

28 **under this chapter to the governor and to the legislative council in**

29 **an electronic format under IC 5-14-6. The long range plan may**

30 **include:**

31 (1) recommendations concerning the long range plan; and

32 (2) proposed legislation needed to implement the long range

33 plan.

34 **Chapter 8. Career and Technical Education Program Review**

35 **Sec. 1. The commission shall:**

36 (1) review the legislative request budgets of all providers of

37 career and technical education preceding each session of the

38 general assembly; and

39 (2) make recommendations concerning appropriations for

40 career and technical programs.

41 **Sec. 2. The commission shall:**

42 (1) review all career and technical education programs



1 regardless of the source of funding; and

2 (2) make recommendations to the governor, the general
3 assembly, and state providers of career and technical
4 education programs concerning the funding and disposition
5 of the programs described in subdivision (1).

6 **Sec. 3.** In making a review under section 1 or 2 of this chapter,
7 the commission may request and shall receive, in a form
8 reasonably required by the commission, from a provider of career
9 and technical education complete information concerning each
10 career and technical program the provider offers.

11 **Sec. 4.** The commission shall:

12 (1) make, or cause to be made, studies of the needs for various
13 types of career and technical education; and

14 (2) make recommendations to the general assembly and the
15 governor concerning the design and content of these
16 programs.

17 **Sec. 5. (a)** The commission may approve or disapprove the:

18 (1) establishment of any new career and technical education
19 program by a state provider; or

20 (2) the offering of any proposed or existing career and
21 technical education program leading to an industry
22 recognized certification or credential or other indication of
23 accomplishment.

24 (b) The commission shall develop and use uniform
25 measurements for assessing the outcomes of each career and
26 technical education program, including at least the following:

27 (1) The number and types of degrees, certificates, credentials,
28 and certifications awarded, and whether the degrees,
29 certificates, credentials, and certifications are industry
30 recognized, if a degree, certificate, credential, or certification
31 is awarded at the completion of the program.

32 (2) The extent to which participants in the program obtained
33 employment or secured better employment as the direct result
34 of participating in or completing the program, including:

35 (A) the number of participants placed at the completion of
36 or departure from the program and within one (1) year
37 after program completion or departure; and

38 (B) a description of the specific jobs that participants in the
39 program obtained.

40 (3) The wages offered to and earned by the participants both
41 before and after participation in or completion of the
42 program, including the starting wages at placement of



1 participants completing the program.
 2 (4) The retention rates of participants who obtained
 3 employment or secured better employment as the direct result
 4 of participating in or completing the program.
 5 Sec. 6. (a) In collaboration with state providers of career and
 6 technical education, the department, the department of education,
 7 and the commission for higher education, the commission shall
 8 prepare and submit an annual report in electronic format under
 9 IC 5-14-6 to the general assembly that includes information about
 10 career and technical education in Indiana.
 11 (b) A state provider of a career and technical education
 12 program shall provide, in the form required by the commission, all
 13 information that the commission considers necessary to provide the
 14 annual report under subsection (a).
 15 SECTION 12. IC 22-4.4 IS ADDED TO THE INDIANA CODE AS
 16 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 17 2018]:
 18 ARTICLE 4.4. ADMINISTRATION OF AWARDS
 19 Chapter 1. Definitions
 20 Sec. 1. The definitions of this chapter apply throughout this
 21 article.
 22 Sec. 2. "Academic year" means the period from September 1 of
 23 a year through August 31 of the next year.
 24 Sec. 3. "Approved secondary school" means:
 25 (1) a public high school located in Indiana; and
 26 (2) any school, located in or outside Indiana, that in the
 27 judgment of the state superintendent provides a course of
 28 instruction at the secondary level and maintains standards of
 29 instruction substantially equivalent to those of public high
 30 schools located in Indiana.
 31 Sec. 4. "Commission" has the meaning set forth in
 32 IC 22-4.3-1-3.
 33 Sec. 5. "Eligible student" refers to an individual who qualifies
 34 to participate in the twenty-first century scholars non-credit
 35 bearing program under IC 22-4.4-5-4.
 36 Sec. 6. "Qualified career and technical program" refers to a
 37 program provided, after June 30, 2019, by an entity that:
 38 (1) is approved by the commission for technical education
 39 established under IC 22-4.3-2-1;
 40 (2) operates in Indiana; and
 41 (3) operates an:
 42 (A) apprenticeship program registered under the federal



1 National Apprenticeship Act (29 U.S.C. 50 et seq.) or
 2 another federal apprenticeship program administered by
 3 the United States Department of Labor; or

4 (B) organized program of postsecondary education leading
 5 to a technical or industry recognized certificate or
 6 credential and is accredited by:

7 (i) a recognized regional accrediting agency;

8 (ii) the board for proprietary education under
 9 IC 21-18.5-6;

10 (iii) the Indiana state board of nursing; or

11 (iv) the state workforce innovation council under
 12 IC 22-4.1-21.

13 Sec. 7. "Scholarship applicant" refers to an individual who
 14 qualifies for a twenty-first century scholarship under IC 21-12-6-6.

15 Chapter 2. General Provisions

16 Sec. 1. The commission may order the auditor of state to
 17 transfer money among the freedom of choice career and technical
 18 grant fund, the higher education career and technical award fund,
 19 and the twenty-first century scholars career and technical fund, as
 20 needed to meet the obligations of the funds for a particular state
 21 fiscal year. The auditor of state shall make a transfer ordered by
 22 the commission with the approval of the budget director and the
 23 governor.

24 Sec. 2. (a) At the end of each state fiscal year, the commission
 25 shall determine the amount of the appropriation remaining in the
 26 following funds:

27 (1) Higher education non-credit bearing award fund
 28 established under IC 22-4.4-3-12.

29 (2) Freedom of choice non-credit bearing grant fund
 30 established under IC 22-4.4-4-5.

31 (3) Twenty-first century scholars non-credit bearing award
 32 fund established by IC 22-4.4-5-3.

33 (b) At the end of each state fiscal year, the commission may
 34 order the auditor of state to transfer money among the funds listed
 35 in subsection (a) if the commission determines that the remaining
 36 appropriation in a particular fund could be used by eligible
 37 applicants for an award under another fund listed in subsection (a)
 38 in the following state fiscal year. The auditor of state shall make
 39 the transfer ordered by the commission with the approval of the
 40 budget director and the governor.

41 Sec. 3. The commission shall publish annually a schedule of
 42 award amounts for the higher education non-credit bearing award



1 and freedom of choice non-credit bearing grant issued under this
2 article.

3 Sec. 4. If the sum of awards under IC 22-4.4-3; IC 22-4.4-4; or
4 IC 22-4.4-5 exceeds the appropriation in a given year, the
5 commission shall reduce the level of awards offered for the
6 applicable program as necessary so that the sum of awards does
7 not exceed the applicable appropriation.

8 **Chapter 3. Higher Education Non-Credit Bearing Awards**

9 Sec. 1. (a) An applicant is eligible for a first year higher
10 education non-credit bearing award under this chapter if the
11 student meets the following requirements:

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

14 (2) The applicant:

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

17 (B) has been granted a:

18 (i) high school equivalency certificate before July 1,
19 1995; or

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

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

26 (3) The financial resources reasonably available to the
27 applicant, as defined by the commission, are such that, in the
28 absence of a higher education career and technical award
29 under this chapter, the applicant would be deterred from
30 completing the applicant's education at the qualified career
31 and technical education program that the applicant has
32 selected and that has accepted the applicant. In determining
33 the financial resources reasonably available to an applicant,
34 the commission must consider the financial resources of the
35 applicant's legal parent.

36 (4) The applicant will use the award initially at that qualified
37 career and technical education program.

38 (5) The student is enrolled full time in a qualified career and
39 technical education program and making satisfactory
40 academic progress, as determined by the qualified career and
41 technical education program.

42 (6) The student declares, in writing, a specific educational



- 1 objective or course of study and enrolls in:
- 2 (A) courses that apply toward the requirements for
- 3 completion of that objective or course of study; or
- 4 (B) courses designed to help the student develop the basic
- 5 skills that the student needs to successfully achieve that
- 6 objective or continue in that course of study.
- 7 (7) The student is not eligible to receive a twenty-first century
- 8 scholarship under IC 21-12-6 or a twenty-first century career
- 9 and technical award under IC 22-4.4-5.
- 10 (8) The student is not eligible to receive a Frank O'Bannon
- 11 grant (as defined IC 21-12-1-10).
- 12 (9) The student is not eligible to receive a:
- 13 (A) National Guard tuition supplement grant under
- 14 IC 21-13-4; or
- 15 (B) scholarship under the National Guard scholarship
- 16 extension program under IC 21-13-5.
- 17 (b) This subsection applies to an individual who:
- 18 (1) meets the requirements set forth in subsection (a); and
- 19 (2) before the date that eligibility is determined by the
- 20 commission, has been placed by or with the consent of the
- 21 department of child services, by a court order, or by a
- 22 licensed child placing agency in:
- 23 (A) a foster family home;
- 24 (B) the home of a relative or other unlicensed caretaker;
- 25 (C) a child caring institution; or
- 26 (D) a group home.
- 27 The commission shall consider an individual to whom this
- 28 subsection applies as a full-need student under the commission's
- 29 rules when determining the eligibility of the individual to receive
- 30 financial aid administered by the commission under this chapter.
- 31 Sec. 2. (a) The commission shall establish a higher education
- 32 non-credit bearing award program to provide awards, after June
- 33 30, 2019, to students of qualified career and technical education
- 34 programs.
- 35 (b) The commission, shall do at least the following to establish
- 36 the program:
- 37 (1) Prescribe the form and manner in which applications for
- 38 higher education non-credit bearing awards may be
- 39 submitted or renewed.
- 40 (2) Determine the eligibility of applicants. An applicant does
- 41 not need to be enrolled as a student at a qualified career and
- 42 technical education program in order to be eligible for a



1 higher education non-credit bearing award.

2 (3) Determine the amount of a higher education non-credit
3 bearing award to a recipient.

4 (4) Establish criteria to renew awards for certain qualified
5 career and technical programs.

6 (5) Determine which non-credit bearing credentials or similar
7 programs are eligible for the higher education non-credit
8 bearing award after considering at least the following for each
9 credential or similar program:

10 (A) Workforce demand and needs.

11 (B) Wage level data and information.

12 (C) Program content and completion data.

13 (D) Program job placement data.

14 (6) Monitor, collect, analyze, and report to the governor, the
15 legislative council, and the state workforce innovation council
16 (established by IC 22-4.1-22-3) information and data
17 concerning:

18 (A) the use, success, failure, and impact of the higher
19 education non-credit bearing awards;

20 (B) the results of each non-credit credential or similar
21 program for which awards are sought; and

22 (C) the results of each non-credit credential or similar
23 program for which awards are provided.

24 The commission for technical education shall submit the
25 report required by this subdivision on or before October 1 for
26 the preceding state fiscal year. The report provided under this
27 subdivision to the legislative council must be in an electronic
28 format under IC 5-14-6.

29 Sec. 3. A student who participates in a qualified career and
30 technical education program and meets the requirements in section
31 1 of this chapter is eligible to receive a state higher education
32 award under this chapter. However, the student must make
33 satisfactory progress toward obtaining the technical certificate,
34 industry recognized certification, credential, or completing an
35 apprenticeship program to remain eligible for the award.

36 Sec. 4. In determining the financial resources available to a
37 student for a higher education career and technical award, the
38 commission may not consider principal or interest, including an
39 original issue discount that qualifies as interest excludable from
40 gross income for federal income tax purposes, on a bond that is:

41 (1) issued by a:

42 (A) public body corporate and politic of the state; or



- 1 **(B) state educational institution;**
 2 **designated by the governor as a college savings bond and**
 3 **purchased after December 31, 1989; or**
 4 **(2) a United States savings bond purchased after December**
 5 **31, 1989, if the interest is claimed as exempt from federal**
 6 **taxation under Section 135 of the Internal Revenue Code.**

7 **Sec. 5. The commission shall publish and make available to**
 8 **every applicant all its rules governing the awarding and denial of**
 9 **higher education career and technical awards. The rules must state**
 10 **specifically the conditions under which an award once issued may**
 11 **be withdrawn or reduced.**

12 **Sec. 6. (a) Higher education non-credit bearing awards shall be**
 13 **issued to as many qualified persons as the current biennial**
 14 **appropriation allows. Applicants who are least able to provide**
 15 **funds for the cost of education shall be given priority in the**
 16 **awarding of higher education non-credit bearing award funds.**

17 **(b) In determining which applicants are least able to provide**
 18 **funds for the cost of education under this section, the commission**
 19 **may not consider principal or interest, including an original issue**
 20 **discount that qualifies as interest excludable from gross income for**
 21 **federal income tax purposes, on a bond that is:**

22 **(1) issued by a:**

23 **(A) public body corporate and politic of the state; or**

24 **(B) state educational institution;**

25 **designated by the governor as a college savings bond and**
 26 **purchased after December 31, 1989; or**

27 **(2) a United States savings bond purchased after December**
 28 **31, 1989, if the interest is claimed as exempt from federal**
 29 **taxation under Section 135 of the Internal Revenue Code.**

30 **Sec. 7. The commission may not provide assistance under this**
 31 **chapter to a higher education award applicant or recipient who is:**

32 **(1) convicted of a felony;**

33 **(2) sentenced to a term of imprisonment for that felony; and**

34 **(3) confined for that felony at a penal facility (as defined in**
 35 **IC 35-31.5-2-232).**

36 **Sec. 8. The commission shall certify to the auditor of state the**
 37 **name and address of every applicant to whom an award has been**
 38 **issued. An award is effective during the academic year immediately**
 39 **following its award, and records and accounts relating to it shall be**
 40 **kept accordingly.**

41 **Sec. 9. An applicant to whom the commission has issued an**
 42 **award may apply for enrollment as a student in any qualified**



1 career and technical education program. However, the qualified
2 career and technical education program is not required to accept
3 the applicant for enrollment, and the qualified career and technical
4 education program may require compliance with its own
5 admissions requirements. If the qualified career and technical
6 education program accepts the applicant, it shall give written
7 notice to the commission. The qualified career and technical
8 education program is entitled to the payments of tuition and other
9 necessary fees and charges provided by the award that are
10 incurred by the applicant. It shall provide facilities and instruction
11 to the applicant on the same terms as to other students.

12 **Sec. 10.** If during an academic period a student enrolled in a
13 qualified career and technical education program under an award
14 under this chapter ceases for any reason to be a student in good
15 standing, the qualified career and technical education program
16 shall promptly give written notice to the commission as to the
17 change of status and the reason for it. If under its current
18 standards a fee or charge that has been paid as part of an award
19 under this chapter would otherwise be refunded by the qualified
20 career and technical education program to the student, it shall be
21 remitted to the auditor of state.

22 **Sec. 11.** The commission shall administer the higher education
23 award account and related records of each student who is
24 attending a qualified career and technical education program
25 under an award issued under this chapter. At each appropriate
26 time, it shall certify to the auditor of state, in the manner
27 prescribed by law, the current payment to be made to the qualified
28 career and technical education program under the award. This
29 shall be done in accordance with an appropriate certificate of the
30 qualified career and technical education program presented by the
31 time the payment is due under the rules of the qualified career and
32 technical education program applicable to students generally, after
33 the tuition and necessary fees have become fixed.

34 **Sec. 12. (a)** The auditor of state shall create a separate and
35 segregated higher education non-credit bearing award fund
36 distinct from the freedom of choice non-credit bearing award fund.

37 **(b)** All money disbursed from the higher education non-credit
38 bearing award fund shall be in accordance with this chapter.

39 **(c)** The expense of administering the fund may be paid from
40 money in the fund.

41 **(d)** Money remaining in the higher education award fund at the
42 end of any fiscal year does not revert to the state general fund but



1 remains available to be used for making higher education
 2 non-credit bearing awards under this chapter, or it may be
 3 transferred to another fund under this article as directed by the
 4 commission under IC 22-4.4-2-1 or IC 22-4.4-2-2.

5 **Sec. 13.** If at the end of a fiscal year part of the money
 6 appropriated for that year for the purposes of this chapter remains
 7 unspent, it may be spent for those purposes during the next fiscal
 8 year, or it may be transferred to another fund under this article as
 9 directed by the commission under IC 22-4.4-2-1 or IC 22-4.4-2-2.

10 **Chapter 4. Freedom of Choice Non-Credit Bearing Grant**

11 **Sec. 1.** The freedom of choice non-credit bearing grant program
 12 is established. The commission shall administer the freedom of
 13 choice non-credit bearing grant program.

14 **Sec. 2.** A person is eligible for a freedom of choice grant if:

- 15 (1) the person is qualified for a higher education non-credit
 16 bearing award under IC 22-4.4-3, even if lack of funds
 17 prevents the award or grant; and
 18 (2) the person will attend a qualified career and technical
 19 education program.

20 **Sec. 3.** Freedom of choice non-credit bearing grant renewals are
 21 governed by the same conditions as are set forth in IC 22-4.4-3-4.

22 **Sec. 4.** The freedom of choice non-credit bearing grant is the
 23 amount published under IC 22-4.4-2-3 for recipients attending an
 24 institution described in section 2 of this chapter.

25 **Sec. 5. (a)** The auditor of the state shall create a separate and
 26 segregated freedom of choice non-credit bearing grant fund
 27 distinct from the higher education non-credit bearing award fund.

28 **(b)** The expense of administering the fund may be paid from
 29 money in the fund.

30 **Sec. 6.** All money disbursed from the freedom of choice
 31 non-credit bearing grant fund shall be in accordance with the
 32 provisions of this chapter.

33 **Sec. 7.** Money remaining in the freedom of choice non-credit
 34 bearing grant fund at the end of any fiscal year does not revert to
 35 the state general fund, but remains available to be used for making
 36 freedom of choice non-credit bearing grants under this chapter, or
 37 it may be transferred to another fund under this article as directed
 38 by the commission under IC 22-4.4-2.

39 **Chapter 5. Twenty-First Century Non-Credit Bearing Award
 40 Program**

41 **Sec. 1.** As used in this chapter, "fund" refers to the twenty-first
 42 century non-credit bearing award program fund established under



- 1 section 3 of this chapter.
- 2 Sec. 2. As used in this chapter, "program" refers to the
3 twenty-first century non-credit bearing award program established
4 under section 5 of this chapter.
- 5 Sec. 3. (a) The twenty-first century scholars non-credit bearing
6 award fund is established to provide the financial resources
7 necessary to provide authorized under the program.
- 8 (b) The commission shall administer the fund.
- 9 (c) The expenses of administering the fund shall be paid from
10 money in the fund.
- 11 (d) The treasurer of state shall invest the money in the fund not
12 currently needed to meet the obligations of the fund in the same
13 manner as other public funds may be invested.
- 14 (e) Money in the fund at the end of a state fiscal year does not
15 revert to the state general fund but remains available to be used for
16 providing money for twenty-first century scholarships under this
17 chapter, or it may be transferred to another fund under this article
18 as directed by the commission under IC 22-4.4-2-1 or
19 IC 22-4.4-2-2.
- 20 Sec. 4. Money in the fund must be used to provide annual tuition
21 awards to qualified scholarship applicants who enroll as full-time
22 students at in a qualified career and technical education program,
23 unless it is transferred to another fund under this article at the
24 direction of the commission under IC 22-4.4-2-1 or IC 22-4.4-2-2.
- 25 Sec. 5. (a) The commission for technical education shall
26 establish a twenty-first century non-credit bearing award program
27 to provide awards, after June 30, 2019, to students of qualified
28 career and technical education programs.
- 29 (b) To be eligible for an award under this chapter, the
30 scholarship applicant must meet the requirements apply to
31 participate in the twenty-first century scholarship program under
32 IC 21-12-6-6. The commission and the commission for higher
33 education shall develop a plan to share information necessary to
34 implement this chapter.
- 35 (c) The commission for technical education shall do at least the
36 following to establish the program:
- 37 (1) Prescribe the form and manner in which applications for
38 twenty-first century non-credit bearing awards may be
39 submitted or renewed.
- 40 (2) Determine the eligibility of applicants. An applicant does
41 not need to be enrolled as a student at a qualified career and
42 technical education program in order to be eligible for a



1 twenty-first century non-credit bearing award.

2 (3) Determine the amount of a twenty-first century non-credit
3 bearing award to a recipient.

4 (4) Determine which non-credit bearing credentials or similar
5 programs are eligible for the twenty-first century non-credit
6 bearing award after considering at least the following for each
7 credential or similar program:

8 (A) Workforce demand and needs.

9 (B) Wage level data and information.

10 (C) Program content and completion data.

11 (D) Program job placement data.

12 (5) Monitor, collect, analyze, and report to the governor, the
13 legislative council, and the state workforce innovation council
14 (established by IC 22-4.1-22-3) information and data
15 concerning:

16 (A) the use, success, failure, and impact of the twenty-first
17 century non-credit bearing awards;

18 (B) the results of each non-credit credential or similar
19 program for which awards are sought; and

20 (C) the results of each non-credit credential or similar
21 program for which awards are provided.

22 The commission for technical education shall submit the
23 report required by this subdivision on or before October 1 for
24 the preceding state fiscal year. The report provided under this
25 subdivision to the legislative council must be in an electronic
26 format under IC 5-14-6.

27 **Sec. 6. If an eligible student, an award applicant, or an award**
28 **recipient violates an agreement entered into under IC 21-12-6-6,**
29 **the eligible student, award applicant, or award recipient is**
30 **disqualified from further consideration as a scholarship recipient**
31 **under IC 21-12-6 or award recipient under this chapter.**

32 SECTION 13. [EFFECTIVE JANUARY 1, 2019] (a) IC 6-3.1-35
33 and IC 6-3.1-36, both as added by this act, apply to taxable years
34 beginning in 2019, 2020, and 2021.

35 (b) The SECTION expires June 30, 2022.

36 SECTION 14. [EFFECTIVE JULY 1, 2018] (a) Not later than July
37 5, 2018, the auditor of state shall transfer the following amounts
38 that are appropriated to the commission for technical education
39 (established by IC 22-4.3-2-1, as added by this act) for the state
40 fiscal year beginning July 1, 2018, and ending June 30, 2019:

41 (1) Twenty-nine million nine hundred fifty-five thousand
42 three hundred sixty-seven dollars (\$29,955,367) from the



1 freedom of choice grant fund established under IC 21-12-4-5
 2 to the freedom of choice non-credit bearing award fund
 3 established under IC 22-4.4-4-5, as added by this act.

4 (2) Thirty-seven million three hundred forty thousand six
 5 hundred thirty-two dollars (\$37,340,632) from the higher
 6 education award fund established under IC 21-12-3-19 to the
 7 higher education non-credit bearing award fund established
 8 under IC 22-4.4-3-12, as added by this act.

9 (3) Fifty-seven million eight hundred thousand four hundred
 10 one dollars (\$57,800,401) from the twenty-first century
 11 scholars fund established under IC 21-12-6-2 to the
 12 twenty-first century non-credit bearing award fund
 13 established under IC 22-4.4-5-3, as added by this act.

14 (b) The commission for higher education established under
 15 IC 21-18-2-1 shall develop a plan to ensure that benefits to students
 16 who are eligible to receive awards under programs described in
 17 IC 21-12-3, IC 21-12-4, and IC 21-12-6 before July 1, 2018, are, to
 18 the extent possible, not reduced or disrupted as a result of the
 19 transfers required under subsection (a). Not later than November
 20 1, 2018, the commission for higher education shall submit a copy
 21 of the plan to the governor and the general assembly in an
 22 electronic format under IC 5-14-6.

23 (c) This SECTION expires December 31, 2018.

24 SECTION 15. [EFFECTIVE JULY 1, 2018] (a) The legislative
 25 council shall provide for the preparation and introduction of
 26 legislation in the 2019 session of the general assembly to correct
 27 cross references and make other changes to the Indiana Code, as
 28 necessary, to bring provisions into conformity with this act,
 29 including provisions enacted in the 2018 regular session of the
 30 general assembly that are added or amendatory to any code
 31 provisions added or amended by this act.

32 (b) This SECTION expires June 30, 2023.

33 SECTION 16. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 50, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

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

(Reference is to SB 50 as introduced.)

LONG, Chairperson

