

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 ENROLLED ACT No. 50

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AN ACT to amend the Indiana Code concerning state offices and administration.

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

SECTION 1. IC 4-3-27 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 27. Governor's Workforce Cabinet**

**Sec. 1. As used in this chapter, "applicable federal program" refers to the federal human resource programs for which the cabinet has authority to make recommendations as listed in section 4 of this chapter.**

**Sec. 2. As used in this chapter, "cabinet" refers to the governor's workforce cabinet established by section 3 of this chapter.**

**Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:**

**(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.**

**(2) Advise the governor on:**

**(A) the development and implementation of state and local**



standards and measures; and

(B) the coordination of the standards and measures; concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor goals to meet the investment needs.

(5) Recommend to the governor goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to the governor and the legislative council in an in electronic format under IC 5-14-6 on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to the governor and the legislative



council in an electronic format under IC 5-14-6 concerning the results of the study.

**(15) Carry out other policy duties and tasks as assigned by the governor.**

**Sec. 4. (a) The cabinet shall serve as the state advisory body required under the following federal laws:**

**(1) The Workforce Innovation and Opportunity Act of 2014 under 29 U.S.C. 3101 et seq., including reauthorizations of WIOA.**

**(2) The Wagner-Peyser Act under 29 U.S.C. 49 et seq.**

**(3) The Carl D. Perkins Vocational and Technical Education Improvement Act of 2006 under 20 U.S.C. 2301 et seq.**

**(4) The Adult Education and Family Literacy Act under 20 U.S.C. 9201 et seq.**

**(b) In addition, the cabinet may be designated to serve as the state advisory body required under any of the following federal laws upon approval of the particular state agency directed to administer the particular federal law:**

**(1) The National and Community Service Act of 1990 under 42 U.S.C. 12501 et seq.**

**(2) Part A of Title IV of the Social Security Act under 42 U.S.C. 601 et seq.**

**(3) The employment and training programs established under the Food Stamp Act of 1977 under 7 U.S.C. 2011 et seq.**

**Sec. 5. (a) The membership of the governor's workforce cabinet established under section 3 of this chapter consists of at least twenty-one (21) members as follows:**

**(1) A chairperson appointed by the governor.**

**(2) The secretary of career connections and talent.**

**(3) The commissioner of the department of workforce development.**

**(4) The president of the Indiana economic development corporation.**

**(5) The commissioner of the Indiana commission for higher education.**

**(6) The superintendent of public instruction.**

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

**(8) The president of Vincennes University.**

**(9) A member appointed by the governor who is an apprenticeship coordinator of a joint labor-management apprenticeship program approved by the United States Department of Labor, Employment and Training**



**Administration, Office of Apprenticeship.**

(10) A member representing high school career and technical education directors appointed by the governor in consultation with the Indiana Association of Career and Technical Education Districts.

(11) A member representing manufacturing appointed by the governor in consultation with the Indiana Manufacturers Association.

(12) A member representing a minority business enterprise appointed by the governor.

(13) A member representing a women's business enterprise appointed by the governor.

(14) A member representing a veteran owned business appointed by the governor.

(15) A member representing the nonunion and construction trades appointed by the governor in consultation with the Associated Builders and Contractors, Inc., and the Indiana Builders Association.

(16) A business owner appointed by the governor in consultation with the Indiana Chamber of Commerce.

(17) A small business owner appointed by the governor in consultation with the National Federation of Independent Businesses.

(18) A member of a community-based organization appointed by the governor.

(19) Three (3) at-large business owners appointed by the governor, one (1) of whom is a business owner who employs less than fifty (50) employees.

(20) Any additional members designated and appointed by the governor.

(b) The members appointed under subsection (a)(11) through (a)(19) must be geographically diverse.

**Sec. 6. (a)** The governor shall appoint members to the cabinet for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year.

(b) The governor shall promptly make an appointment to fill any vacancy on the cabinet, but only for the duration of the unexpired term.

**Sec. 7. (a)** Except as provided in subsection (b) and subject to the approval of the chairperson, the state personnel department, and the budget agency, the cabinet may employ professional, technical, and clerical personnel necessary to carry out the duties



imposed by this chapter using the following:

- (1) Funds available under applicable federal and state programs.
  - (2) Appropriations by the general assembly for this purpose.
  - (3) Funds in the state technology advancement and retention account established by IC 4-12-12-1.
  - (4) Other funds (other than federal funds) available to the cabinet for this purpose.
- (b) The chairperson may contract for services necessary to implement this chapter.
- (c) The cabinet is subject to:
- (1) the allotment system administered by the budget agency; and
  - (2) financial oversight by the office of management and budget.

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

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

(c) Any member of the cabinet who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

**Sec. 9.** The cabinet shall adopt bylaws and rules governing the cabinet's organization and operation, including bylaws and rules governing the establishment of advisory committees considered necessary by the cabinet, scheduling of cabinet meetings, and other activities necessary to implement this chapter.

**Sec. 10.** The state shall certify to:

- (1) the United States Secretary of Labor the establishment and membership of the cabinet before the beginning of each



period of two (2) program years for which a job training plan is submitted under this chapter; and

(2) any other appropriate United States Secretary charged with administering a particular applicable federal program the establishment and membership of the cabinet.

**Sec. 11. (a)** As used in this section, "high school" means a high school (as defined in IC 20-18-2-7) that is:

(1) maintained by a school corporation;

(2) a charter school; or

(3) an accredited nonpublic school.

(b) Not later than July 1, 2018, the cabinet shall develop a comprehensive career navigation and coaching system for Indiana that does both of the following:

(1) Provides timely, comprehensive, relevant, and useful information on careers, including at least:

(A) general and industry sector based regional, state, national, and global information to identify both immediate and potential career opportunities arising from:

(i) current employer needs;

(ii) developing or foreseeable talent needs and trends; and

(iii) other factors identified by the cabinet;

(B) state, regional, and local labor market supply and demand information from the department of workforce development, industry sectors, and other verifiable sources; and

(C) educational requirements and attainment information from employers, the department of workforce development, and other verifiable sources.

(2) Establishes strategies and identifies capacity to deliver career navigation and coaching to middle school, high school, postsecondary, and adult students, with priority being given to middle school and high school students, including at least:

(A) processes for identifying an individual's aptitude for and interest in, and the education and training required for, various career and employment opportunities;

(B) the use of career coaches and other coaching resources, including the work one system, employers, Ivy Tech Community College, Vincennes University, and other postsecondary educational institutions; and

(C) qualifications for career coaches and a training program to enable the career coaches to provide relevant



information to the individuals being served.

(c) All high schools in Indiana shall participate in the career coaching program developed under subsection (b)(2).

(d) In developing the comprehensive career navigation and coaching system under subsection (b)(2), the cabinet shall:

(1) receive cooperation, support, and assistance from:

(A) the department of workforce development, the Indiana commission for higher education, and the department of education; and

(B) the resources, providers, and institutions that the departments and the commission listed in clause (A) use and oversee;

(2) explore approaches and models from Indiana and other states and countries;

(3) where appropriate, use pilot programs or other scaling approaches to develop and implement the comprehensive career navigation and coaching system in a cost effective and efficient manner; and

(4) work to coordinate and align resources to produce effective and efficient results to K-12 educational systems, postsecondary educational systems, the workforce development community, employers, community based organizations, and other entities.

(e) The cabinet shall initially:

(1) focus on:

(A) students in, or of the age to be in, the last two (2) years of high school; and

(B) working age adults; and

(2) use, to the extent possible, the department of workforce development, the K-12 educational system, Ivy Tech Community College, Vincennes University, and other existing resources to implement the comprehensive career navigation and coaching system with a later expansion of the system, as appropriate, to all K-12 and postsecondary schools and institutions and their students.

(f) Not later than July 30, 2018, the cabinet shall submit to the governor and the legislative council in an electronic format under IC 5-14-6 a progress report concerning the cabinet's activities through June 30, 2018, to develop the comprehensive career navigation and coaching system.

(g) Not later than October 31, 2018, the cabinet shall submit to the governor and the legislative council in an electronic format



under IC 5-14-6 operating and funding recommendations to implement the comprehensive career navigation and coaching system.

**Sec. 12. (a)** As used in this section, "workforce related program" has the meaning set forth in IC 22-4.1-1-7.

**(b)** The governor, general assembly, and cabinet intend that each workforce related program effectuates the purposes for which it was enacted and that the cost of workforce related programs should be included more readily in the biennial budgeting process.

**(c)** To provide the information needed to make informed policy choices about the efficacy of each workforce related program, the cabinet shall conduct a regular review, analysis, and evaluation of all workforce related programs.

**(d)** The review, analysis, and evaluation must include information about each workforce related program that is necessary to determine if the goals of the workforce related program are being achieved, which may include any of the following:

- (1)** The basic attributes and policy goals of the workforce related program, including the statutory and programmatic goals of the workforce related program, the original scope and purpose of the workforce related program, and how the scope or purpose has changed over time.
- (2)** The estimated cost to the state to administer the workforce related program.
- (3)** The workforce related program's equity, simplicity, competitiveness, public purpose, adequacy, and extent of conformance with the original purposes of the legislation enacting the workforce related program.
- (4)** The types of activities on which the workforce related program is based and how effective the workforce related program has been in promoting these targeted activities and in assisting participants in the workforce related program.
- (5)** The count of the following:
  - (A)** Participants that enter the workforce related program.
  - (B)** Participants that complete the workforce related program.
  - (C)** Providers of the workforce related program.
- (6)** The dollar amount allotted for the workforce related program for the most recent state fiscal year.
- (7)** An estimate of the impact of the workforce related program, including the following:





(A) A return on investment calculation for the workforce related program. For purposes of this clause, "return on investment calculation" means analyzing the cost to the state of providing the workforce related program and analyzing the benefits realized by the participants in the workforce related program and to the state.

(B) A cost-benefit comparison among workforce related programs.

(C) An estimate of the number of jobs that were the direct result of the workforce related program.

(D) For the workforce related program, a statement by the chief executive officer of the state agency that administers the workforce related program as to whether the statutory and programmatic goals of the workforce related program are being met, with obstacles to these goals identified, if possible.

(8) The methodology and assumptions used in carrying out the reviews, analyses, and evaluations required under this section.

(9) An estimate of the extent to which benefits of the workforce related program remained in Indiana or flowed outside Indiana.

(10) Whether the effectiveness of the workforce related program could be determined more definitively if the general assembly were to clarify or modify the workforce related program's goals and intended purpose.

(11) Whether measuring the workforce related program's impact is significantly limited due to data constraints and whether any changes in statute would facilitate data collection in a way that would allow for better review, analysis, or evaluation.

(12) An estimate of the indirect economic benefit or activity stimulated by the workforce related program.

(13) Any additional review, analysis, or evaluation that the cabinet considers advisable, including comparisons with workforce related programs offered by other states if those comparisons would add value to the review, analysis, and evaluation.

(e) The cabinet may request a state official or a state agency or a body corporate and politic to furnish information necessary to complete the workforce related program review, analysis, and evaluation required by this chapter. An official or entity presented



with a request from the cabinet under this section shall cooperate with the cabinet in providing the requested information. An official or entity may require that the cabinet adhere to the provider's rules, if any, that concern the confidential nature of the information.

(f) The cabinet shall, before October 1 of each year, submit a report to the governor, the legislative council in an electronic format under IC 5-14-6, and the interim study committee on fiscal policy established by IC 2-5-1.3-4 containing the results of the cabinet's review, analysis, and evaluation under this chapter. The report must include at least the following for each workforce related program reviewed:

- (1) An explanation of the workforce related program.
- (2) The history of the workforce related program.
- (3) An estimate for each state fiscal year of the next biennial budget of the cost of the workforce related program.
- (4) A detailed description of the review, analysis, and evaluation for the workforce related program.
- (5) Information to be used by the governor and general assembly to determine whether the workforce related program should be continued, modified, or terminated, the basis for the recommendation, and the expected impact of the recommendation.
- (6) Information to be used by the governor and general assembly to better align the workforce related program with the original intent of the legislation that enacted the workforce related program. The report required by this section must not disclose any proprietary or otherwise confidential information.

Sec. 13. (a) As used in this section, "Pell grant" means the federal financial aid program established by 20 U.S.C. 1070a.

(b) The cabinet shall conduct a college and career funding review that includes the following:

- (1) Study the requirements for awards, grants, or scholarships under the Pell grant program, the twenty-first century scholars program established under IC 21-12-6, the higher education award program, the freedom of choice award program, the federal Carl D. Perkins Vocational and Applied Technology Act, the federal Workforce Innovation and Opportunity Act, the federal Supplemental Educational Opportunity Grant program, state workforce development and training programs, and other federal or state college and



career funding programs.

(2) Review the postsecondary courses of study for which funding described in subdivision (1) may be awarded.

(3) Determine whether the courses of study for which funding described in subdivision (1) may be awarded include programs that award diplomas, technical certificates, industry recognized certifications, credentials, or degrees other than a baccalaureate degree.

(4) Study policies and proposals from other states that are designed to provide free or substantially reduced tuition to students attending state colleges and universities and analyze how these types of policies could be implemented in Indiana.

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

Sec. 14. (a) As used in this section, "career and technical education" has the meaning set forth in IC 20-20-38-1.

(b) The cabinet shall:

(1) study the advisability of establishing one (1) or more real world career readiness programs that combine the theory of a particular career with workforce practice or application in order to provide students with career and technical education credentials necessary to transition from school to the workforce; and

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

SECTION 2. IC 4-12-12-6, AS AMENDED BY P.L.69-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Money in the account that is not otherwise designated under section 3 of this chapter is annually dedicated to the following:

(1) The Indiana economic development partnership fund under IC 4-12-10.

(2) ~~Minority training program grants under IC 22-4.1-22-11.~~

(3) ~~The back home in Indiana program under IC 22-4.1-22-12.~~

(4) (2) The scientific instrument project within the department of education.

(5) (3) The coal technology research fund under IC 21-47-4-5.

SECTION 3. IC 20-20-38-0.5 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. As used in this chapter, "cabinet" refers to the governor's workforce cabinet established by IC 4-3-27-3.**

SECTION 4. IC 20-20-38-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 2: As used in this chapter, "council" refers to the state workforce innovation council established by IC 22-4.1-22-3.~~

SECTION 5. IC 20-20-38-3, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "employment training" means all programs administered by the following:

- (1) ~~The council;~~ **cabinet.**
- (2) The Indiana jobs training program.
- (3) The department.

SECTION 6. IC 20-20-38-4, AS AMENDED BY P.L.230-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

- (1) the governor;
- (2) the general assembly;
- (3) the department of workforce development;
- (4) the commission for higher education;
- (5) ~~the council;~~ **cabinet;**
- (6) the board for proprietary education; and
- (7) any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

- (1) The preparation of each graduate for both employment and further education.
- (2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.
- (3) Projected employment opportunities in various career and technical education fields.
- (4) A study of the supply of and the demand for a labor force



skilled in particular career and technical education areas.

(5) A study of technological and economic change affecting Indiana.

(6) An analysis of the private career and education sector in Indiana.

(7) Recommendations for improvement in the state career and technical education program.

(8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.

(d) When making any revisions to the plan, the state board shall consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

(e) The state board shall use data from the department of workforce development to develop and implement a plan or make revisions to a plan under this section.

SECTION 7. IC 20-20-38-6, AS AMENDED BY P.L.230-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The state board shall do the following:

(1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.

(2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:

(A) The Indiana economic development corporation.

(B) The ~~council~~: **cabinet**.

(C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).

(D) The department of labor.

(E) The commission for higher education.

(F) The department of workforce development.

(G) The board for proprietary education.

(H) The department of veterans' affairs.

(3) Review and make recommendations concerning plans submitted by the commission for higher education and the ~~council~~: **cabinet**. The state board may request the resubmission of plans or parts of plans that:

(A) are not consistent with the long range state plan of the



state board;

(B) are incompatible with other plans within the system; or

(C) duplicate existing services.

(4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between secondary level career and technical education and postsecondary level career and technical education.

(6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.

(b) The state board shall use data from the department of workforce development in carrying out the state board's duties under this section.

SECTION 8. IC 20-20-38-11, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. Upon request of the budget director, the state board shall prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the ~~council~~ **cabinet** before the request's review by the budget committee.

SECTION 9. IC 20-20-38-12, AS AMENDED BY P.L.230-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the ~~council~~, **cabinet**, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:



- (1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;
- (2) the categories of expenditures and the distribution plan or formula for secondary schools; and
- (3) the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations, and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board, and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

(e) The state board shall use data from the department of workforce development in making a recommendation under this section.

SECTION 10. IC 20-20-38-13, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. The state board shall distribute state funds made available for secondary and postsecondary career and technical education that have been appropriated by the general assembly and in accordance with the plan prepared by:

- (1) the state board under section 5 of this chapter; and
- (2) the ~~council~~ **cabinet** under IC 22-4.1-19-4.

SECTION 11. IC 21-12-1-8, AS AMENDED BY P.L.107-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. "Eligible institution", for the purposes of:

- (1) IC 21-12-6, refers to a postsecondary educational institution that qualifies as an eligible institution under IC 21-12-6-4; and
- (2) IC 21-12-8, refers to a postsecondary educational institution that:
  - (A) operates in Indiana;
  - (B) is either operated by the state or operated nonprofit;
  - (C) operates an organized program of postsecondary education leading to a technical certificate, nursing diploma, or associate



or baccalaureate degree; and

(D) is accredited by:

- (i) a recognized regional accrediting agency;
- (ii) the board for proprietary education under IC 21-18.5-6;
- (iii) the Indiana state board of nursing; or
- (iv) the ~~state workforce innovation council~~ **department of workforce development** under IC 22-4.1-21.

SECTION 12. IC 21-12-8-12, AS ADDED BY P.L.230-2017, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) As used in this section, "department" refers to the department of workforce development established by IC 22-4.1-2-1.

(b) As used in this section, "program" refers to the high value workforce ready noncredit-bearing grant program established by subsection (c).

(c) The department shall establish a high value workforce ready noncredit-bearing grant program.

(d) The department shall do at least the following to establish the program:

- (1) Prescribe the form and manner in which applications for high value workforce ready noncredit-bearing grants may be submitted.
- (2) Determine the eligibility of applicants. An applicant does not need to be enrolled as a student at a postsecondary educational institution in order to be eligible for a high value workforce ready noncredit-bearing grant.
- (3) Determine the amount of a high value workforce ready noncredit-bearing grant awarded to a recipient.
- (4) As the department considers appropriate, work with an employer to determine:
  - (A) whether one (1) or more of the employer's current or future employees may be eligible for a high value workforce ready noncredit-bearing grant; and
  - (B) what additional financial or other support for the employer's current or future employees the employer may provide, if one (1) or more of the employer's current or future employees may be eligible for a high value workforce ready noncredit-bearing grant.
- (5) Work with interested units of local government and employer groups in a specific economic sector or region of the state to develop cost-sharing and other approaches to increase the scope of use and impact of the department's available funding for high





value workforce ready noncredit-bearing grants.

(6) In conjunction with the commission, determine which noncredit-bearing credentials or similar programs are eligible for the high value workforce ready noncredit-bearing grant after considering at least the following for each credential or similar program:

- (A) Workforce demand and needs.
- (B) Wage level data and information.
- (C) Program content and completion data.
- (D) Program job placement data.

(7) Monitor, collect, analyze, and report to the governor, the legislative council, and the ~~state workforce innovation council (established by IC 22-4.1-22-3)~~ **governor's workforce cabinet (established by IC 4-3-27-3)** information and data concerning:

- (A) the use, success, failure, and impact of the high value workforce ready noncredit-bearing grants;
- (B) the results of each noncredit credential or similar program for which grants are sought; and
- (C) the results of each noncredit credential or similar program for which grants are provided.

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

SECTION 13. IC 21-16-4-7, AS AMENDED BY P.L.107-2012, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. The commission may remove an eligible institution's qualified status upon finding, after reasonable notice and hearing, that the eligible institution fails to meet the standards established by the commission. The commission may direct the ~~state workforce innovation council~~ **department of workforce development** or the board for proprietary education to review a school under its jurisdiction, or a comparable school outside Indiana that is an eligible institution under this chapter. The commission may use the results of the review to determine whether to remove an eligible institution's qualified status.

SECTION 14. IC 21-18-6-1, AS AMENDED BY P.L.107-2012, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The general purposes of the commission are the following:

- (1) Plan for and coordinate Indiana's state supported system of postsecondary education.



(2) Review appropriation requests of state educational institutions.

(3) Make recommendations to the governor, budget agency, or the general assembly concerning postsecondary education.

(4) Perform other functions assigned by the governor or the general assembly, except those functions specifically assigned by law to the ~~state workforce innovation council~~ **governor's workforce cabinet** under IC 22-4.1-19.

(5) Administer state financial aid programs under IC 21-18.5-4.

(6) Provide staff and office space for the board for proprietary education established by IC 21-18.5-5-1.

SECTION 15. IC 21-18.5-1-3, AS AMENDED BY P.L.178-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. Any reference to the Indiana commission for postsecondary proprietary education or the Indiana commission on proprietary education in any statute or rule shall be treated:

(1) after June 30, 2012, as a reference to the board for proprietary education established by IC 21-18.5-5-1 if the reference pertains to a postsecondary credit bearing proprietary educational institution; or

(2) if the reference pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9):

(A) after June 30, 2012, and before July 1, 2016, as a reference to the state workforce innovation council established by IC 22-4.1-22-3 (**before its repeal**); or

(B) after June 30, 2016, as a reference to the department of workforce development established by IC 22-4.1-2-1.

SECTION 16. IC 21-18.5-1-4, AS AMENDED BY P.L.178-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Changes made by P.L.218-1987 do not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before July 1, 1987. These rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if P.L.218-1987 had not been enacted.

(b) The abolishment of the Indiana commission on proprietary education on July 1, 2012, by P.L.107-2012 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;



(3) crimes committed; or

(4) proceedings begun;

before July 1, 2012, that pertain to a postsecondary credit bearing proprietary educational institution. These rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the board for proprietary education established by IC 21-18.5-5-1.

(c) The abolishment of the Indiana commission on proprietary education on July 1, 2012, by P.L.107-2012 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before July 1, 2012, that pertain to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9). After June 30, 2012, and before July 1, 2016, these rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the state workforce innovation council established under IC 22-4.1-22-3 **(before its repeal)**. After June 30, 2016, these rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced by the department of workforce development established by IC 22-4.1-2-1.

SECTION 17. IC 21-18.5-1-5, AS AMENDED BY P.L.178-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The Indiana commission on proprietary education is abolished on July 1, 2012.

(b) Unless otherwise specified in a memorandum of understanding described in subsection (e), the following are transferred on July 1, 2012, from the Indiana commission on proprietary education to the commission for higher education established by IC 21-18-2-1:

(1) All real and personal property of the Indiana commission on proprietary education.

(2) All assets and liabilities of the Indiana commission on proprietary education.

(3) All appropriations to the Indiana commission on proprietary education.

(c) All powers and duties of the Indiana commission on proprietary education before its abolishment pertaining to the accreditation of a postsecondary credit bearing proprietary educational institution are transferred to the board for proprietary education established by IC 21-18.5-5-1.

(d) All powers and duties of the Indiana commission on proprietary education before its abolishment pertaining to the accreditation of a



postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) are transferred to the state workforce innovation council established by IC 22-4.1-22-3 (**before its repeal**). After June 30, 2016, all powers and duties transferred to the state workforce innovation council by this subsection are transferred to the department of workforce development established by IC 22-4.1-2-1.

(e) The commission for higher education established by IC 21-18-2-1 may enter into a memorandum of understanding with the state workforce innovation council established by IC 22-4.1-22-3 (**before its repeal**) to implement the transition of the responsibilities and obligations of the Indiana commission on proprietary education before its abolishment to the commission for higher education and the state workforce innovation council. After June 30, 2016, the rights, powers, duties, and obligations of the state workforce innovation council under a memorandum of understanding entered into by the state workforce innovation council under this subsection are transferred to the department of workforce development established by IC 22-4.1-2-1.

(f) Rules that were adopted by the Indiana commission on proprietary education before July 1, 2012, shall be treated as though the rules were adopted by the state workforce innovation council established by IC 22-4.1-22-3 (**before its repeal**) until the state workforce innovation council or the department of workforce development adopts rules under IC 4-22-2 to implement IC 22-4.1-21. Rules that were adopted by the state workforce innovation council after June 30, 2012, and before July 1, 2016, to implement IC 22-4.1-21 shall be treated as though the rules were adopted by the department of workforce development until the department of workforce development adopts rules under IC 4-22-2 to implement ~~IC 22-4.1-22~~. **IC 22-4.1-21.**

(g) An accreditation granted or a permit issued under IC 21-17-3 (repealed) by the Indiana commission on proprietary education before July 1, 2012, shall be treated after June 30, 2012, as an authorization granted by the:

- (1) board for proprietary education established by IC 21-18.5-5-1 if the accreditation pertains to a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12); or
- (2) department of workforce development if the accreditation pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9).

(h) An accreditation granted or a permit issued before May 15, 2013, under IC 21-17-3 (repealed):



(1) by the board for proprietary education established by IC 21-18.5-5-1 shall be treated as an authorization granted by the board for proprietary education; and

(2) by the state workforce innovation council shall be treated as an authorization granted by the department of workforce development.

(i) Proceedings pending before the Indiana commission on proprietary education on July 1, 2012, shall be transferred from the Indiana commission on proprietary education to:

(1) the board for proprietary education established by IC 21-18.5-5-1 for a proceeding pertaining to a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12); or

(2) the state workforce innovation council if the proceeding pertains to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9).

(j) Proceedings that pertain to a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) pending before the state workforce innovation council on July 1, 2012, shall be transferred from the state workforce innovation council to the department of workforce development established by IC 22-4.1-2-1.

SECTION 18. IC 21-18.5-4-11, AS ADDED BY P.L.107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. The commission may cooperate in developing training programs concerning grant program requirements with the:

(1) board for proprietary education; or

(2) ~~state workforce innovation council.~~ **governor's workforce cabinet.**

SECTION 19. IC 22-4-35-1, AS AMENDED BY P.L.171-2016, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. In any civil action to enforce the provisions of this article, the department, commissioner, state workforce innovation council (**before its repeal**), unemployment insurance review board, and the state may be represented by any qualified attorney who is a regular salaried employee of the department and is designated by it for this purpose or, at the director's request, by the attorney general of the state. In case the governor designates special counsel to defend, on behalf of the state, the validity of this article, the expenses and compensation of such special counsel and of any experts employed by the commissioner in connection with such proceedings may be charged to the employment and training services administration



fund.

SECTION 20. IC 22-4.1-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. "Cabinet" refers to the governor's workforce cabinet established by IC 4-3-27-3.**

SECTION 21. IC 22-4.1-1-2.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 2.5: "Council" refers to the state workforce innovation council established by IC 22-4.1-22-3.~~

SECTION 22. IC 22-4.1-2-2, AS AMENDED BY P.L.171-2016, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The department includes the ~~following~~ **entities:**

- ~~(1) The unemployment insurance review board.~~
- ~~(2) State workforce innovation council established by IC 22-4.1-22-3.~~

SECTION 23. IC 22-4.1-4-1.5, AS ADDED BY P.L.69-2015, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) The department shall do the following:

- (1) Administer the Wagner-Peyser program, the WIOA, a free public labor exchange, and related federal and state employment and training programs as directed by the governor.
- (2) Formulate and implement an employment and training plan as required by the WIOA, and the Wagner-Peyser Act (29 U.S.C. 49 et seq.).
- (3) Coordinate activities with all state agencies and departments that either provide employment and training related services or operate appropriate resources or facilities, to maximize Indiana's efforts to provide employment opportunities for economically disadvantaged individuals, dislocated workers, and others with substantial barriers to employment.
- (4) Apply for, receive, disburse, allocate, and account for all funds, grants, gifts, and contributions of money, property, labor, and other things of value from public and private sources, including grants from agencies and instrumentalities of the state and the federal government.
- (5) Enter into agreements with the United States government that may be required as a condition of obtaining federal funds related to activities of the department.
- (6) Enter into contracts or agreements and cooperate with local governmental units or corporations, including profit or nonprofit corporations, or combinations of units and corporations to carry



out the duties of the department imposed by this chapter, including contracts for the establishment and administration of employment and training offices and the delegation of the department's administrative, monitoring, and program responsibilities and duties set forth in this article.

(7) Perform other services and activities that are specified in contracts for payments or reimbursement of the costs made with the Secretary of Labor, any federal, state, or local public agency or administrative entity, or a private for-profit or nonprofit organization under the WIOA.

(8) Enter into contracts or agreements and cooperate with entities that provide career and technical education to carry out the duties imposed by this article.

(b) The department shall distribute federal funds made available for employment training in accordance with:

(1) the WIOA, and other applicable federal laws; and

(2) the plan prepared by the ~~department~~ **cabinet** under subsection (c)(1).

(c) In addition to the duties prescribed in subsections (a) and (b), the department shall do the following:

(1) Implement the postsecondary career and technical education programming plan prepared by the ~~council~~ **cabinet** under IC 22-4.1-19-4.

(2) Upon request of the budget director, prepare a legislative budget request for state and federal funds for employment training. The budget director shall determine the period to be covered by the budget request.

(3) Make or cause to be made studies of the needs for various types of programs that are related to employment training and authorized under the WIOA.

(4) Distribute state funds made available for employment training that have been appropriated by the general assembly in accordance with the general assembly appropriation.

SECTION 24. IC 22-4.1-18-2, AS AMENDED BY P.L.121-2014, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The department may grant an Indiana high school equivalency diploma to an individual who achieves satisfactory high school level scores on the Indiana high school equivalency test or any other properly validated test of comparable difficulty designated by the ~~council~~ **cabinet**.

SECTION 25. IC 22-4.1-19-3, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: Sec. 3. The **council cabinet** may consult with and make recommendations to the state board on all postsecondary career and technical education programs.

SECTION 26. IC 22-4.1-19-4, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The **council cabinet** shall biennially prepare a plan for implementing postsecondary career and technical education programming after considering the long range state plan developed under IC 20-20-38-4. The **council cabinet** shall submit the plan to the state board for its review and recommendations. The **council cabinet** shall specifically report on how the plan addresses preparation for employment.

SECTION 27. IC 22-4.1-19-5, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The **council cabinet** may also make recommendations to the general assembly concerning the plan prepared under section 4 of this chapter.

SECTION 28. IC 22-4.1-19-6, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. The **council cabinet** may make recommendations to the state board concerning the legislative budget requests prepared under IC 20-20-38-12 by state educational institutions for state and federal funds for career and technical education.

SECTION 29. IC 22-4.1-19-7, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. The **council cabinet** may:

- (1) make or cause to be made studies of the needs for various types of postsecondary career and technical education; and
- (2) submit to the state board the **council's cabinet's** findings in this regard.

SECTION 30. IC 22-4.1-19-8, AS ADDED BY P.L.7-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The **council cabinet** may develop a definition for and report biennially to the:

- (1) general assembly;
- (2) governor; and
- (3) state board;

on attrition and persistence rates by students enrolled in state career and technical education.

(b) A report under this section to the general assembly must be in an electronic format under IC 5-14-6.





SECTION 31. IC 22-4.1-20-2, AS ADDED BY P.L.7-2011, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The ~~council~~ **cabinet** and the governor may prescribe a program of adult education.

(b) The department, in consultation with the ~~council~~ **cabinet** and the governor, may adopt rules under IC 4-22-2 to provide for this program and to provide for the state distribution formula for money appropriated by the general assembly for adult education.

SECTION 32. IC 22-4.1-20-4, AS AMENDED BY P.L.121-2014, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Money appropriated by the general assembly for adult education may be used only to reimburse an eligible provider for adult education that is provided to individuals who:

- (1) need the education to master a skill that leads to:
  - (A) the completion of grade 8; or
  - (B) an Indiana high school equivalency diploma under IC 22-4.1-18;
- (2) need the education to receive high school credit to obtain a high school diploma; or
- (3) have graduated from high school (or received a high school equivalency certificate, a general educational development (GED) diploma, or an Indiana high school equivalency diploma), but who demonstrate basic skill deficiencies in mathematics or English/language arts.

For purposes of reimbursement under this section, the eligible provider may not count an individual who is also enrolled in a school corporation's kindergarten through grade 12 educational program. An individual described in subdivision (3) may be counted for reimbursement by the eligible provider only for classes taken in mathematics and English/language arts.

(b) The ~~council~~ **department** shall provide for reimbursement to an eligible provider under this section for instructor salaries and administrative and support costs. However, the ~~council~~ **department** may not allocate more than fifteen percent (15%) of the total appropriation under subsection (a) for administrative and support costs.

SECTION 33. IC 22-4.1-22 IS REPEALED [EFFECTIVE UPON PASSAGE]. (State Workforce Innovation Council).

SECTION 34. IC 22-4.1-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 22.5. General Provisions Concerning the Transfer of Responsibilities From the State Workforce Innovation Council to**



**the Governor's Workforce Cabinet**

**Sec. 1. (a) The state workforce innovation council established by IC 22-4.1-22-3 (before its repeal) is abolished.**

**(b) The following are transferred on the effective date of SEA 50-2018 from the state workforce innovation council to the governor's workforce cabinet established by IC 4-3-27-3:**

**(1) All real and personal property of the state workforce innovation council.**

**(2) All powers, duties, assets, and liabilities of the state workforce innovation council.**

**(3) All appropriations to the state workforce innovation council.**

**(c) All rules or policies that were adopted by the state workforce innovation council before the effective date of SEA 50-2018 shall be treated as through the rules were adopted by the governor's workforce cabinet established by IC 4-3-27-3 until the governor's workforce cabinet adopts new rules or policies.**

**(d) After the effective date of SEA 50-2018, a reference to the state workforce innovation council in a statute or rule shall be treated as a reference to the governor's workforce cabinet established by IC 4-3-27-3.**

**Sec. 2. (a) After the effective date of SEA 50-2018, a contract entered into by the state workforce innovation council (before its abolishment on the effective date of SEA 50-2018) is a contract of the governor's workforce cabinet established by IC 4-3-27-3.**

**(b) The repeal of IC 22-4.1-22 does not affect the right, duties, or obligations of the governor's workforce cabinet or a person who before the effective date of SEA 50-2018 had a contract with the state workforce innovation council (before its abolishment on the effective date of SEA-50-2018).**

**(c) A person or the governor's workforce cabinet established by IC 4-2-27-3 may enforce a right to compel performance of a duty for a contract as if the repeal of IC 22-4.1-22 had not been enacted.**

SECTION 35. IC 22-4.1-24-2, AS ADDED BY P.L.230-2017, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A state provider shall prepare a written report concerning:

(1) its workforce related programs annually; and

(2) a new workforce related program not later than thirty (30) days after establishing the program.

(b) At a minimum, the following information must be provided in an annual report for each program:



- (1) A description of the program that includes an explanation of how the program aligns with Indiana's workforce needs and coordinates with existing workforce related programs.
  - (2) The amount of funding provided for the program and the source or sources of the funding.
  - (3) The number of individuals participating in the program.
  - (4) Demographic information about the individuals participating in the program, including:
    - (A) the age or ages of the program participants; and
    - (B) the education attainment level of the program participants.
  - (5) The results of the program, including:
    - (A) the number of individuals completing the program;
    - (B) the number and types of degrees, certificates, credentials, and certifications awarded, and whether the degrees, certificates, credentials, and certifications are industry recognized, if a degree, certificate, credential, or certification is awarded at the completion of the program;
    - (C) the extent to which participants in the program obtained employment, retained employment, or secured better employment as the direct result of participating in or completing the program, including the number of participants placed at the completion of or departure from the program and within one (1) year after program completion or departure;
    - (D) a description of the specific jobs that participants in the program obtained or retained;
    - (E) the wages offered to and earned by the participants both before and after participation in or completion of the program, including the starting wages at placement of participants completing the program; and
    - (F) the retention rates of participants who obtained employment or secured better employment as the direct result of participating in or completing the program.
- (c) At a minimum, the report for a new workforce related program must include the information described in subsection (b)(1) and (b)(2).
- (d) A state provider shall provide a copy of a report described in subsection (a) to the:
- (1) governor;
  - (2) legislative council;
  - (3) ~~council~~; **cabinet**; and
  - (4) department.

An annual report must be submitted on or before October 1 for the preceding state fiscal year. A report concerning a new workforce



related program must be submitted not later than thirty (30) days after a state provider establishes the program. A report provided under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 36. IC 25-21.8-4-2, AS AMENDED BY P.L.267-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. An individual who applies for licensure as a massage therapist must do the following:

- (1) Complete and submit the licensure application in the form and manner provided by the board.
- (2) Furnish evidence satisfactory to the board showing that the individual:
  - (A) is at least eighteen (18) years of age;
  - (B) has a high school diploma or the equivalent of a high school diploma;
  - (C) has successfully completed a massage therapy school or program that:
    - (i) requires at least five hundred (500) hours of supervised classroom and hands on instruction on massage therapy;
    - (ii) is in good standing with a state, regional, or national agency of government charged with regulating massage therapy schools or programs; and
    - (iii) is accredited by the ~~state workforce innovation council~~ **department of workforce development** under IC 22-4.1-21 or accredited by another state where the standards for massage therapy education are substantially the same as the standards in Indiana, or is a program at an institution of higher learning that is approved by the board; and
  - (D) has taken and passed a licensure examination approved by the board.
- (3) Provide a history of any criminal convictions the individual has, including any convictions related to the practice of the profession. The board shall deny an application for licensure if the applicant:
  - (A) has been convicted of:
    - (i) prostitution;
    - (ii) rape; or
    - (iii) sexual misconduct; or
  - (B) is a registered sex offender.
- (4) Provide proof that the applicant currently has professional liability insurance with minimum coverage of two million dollars (\$2,000,000) per claim and six million dollars (\$6,000,000) in



aggregate.

(5) Submit to a national criminal history background check as prescribed by IC 25-0.5-1-9.

(6) Verify the information submitted on the application form.

(7) Pay fees established by the board.

**SECTION 37. An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

SEA 50 — CC 1

