

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 80

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AN ACT to amend the Indiana Code concerning general provisions.

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

SECTION 1. IC 16-41-12-15, AS AMENDED BY P.L.168-2014, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) A blood center shall require a blood donor to provide to the blood center the following information:

- (1) Name.
- (2) Address.
- (3) Date of birth.
- (4) The blood donor's Social Security number, if the blood donor is receiving monetary compensation for the donation.

(b) A blood center shall report the name and address of a blood donor to the state department when a confirmatory test of the blood donor's blood confirms the presence of antibodies to the human immunodeficiency virus (HIV).

(c) A blood center shall provide to a blood donor information to enable the blood donor to give informed consent to the procedures required by this chapter or IC 16-36. The information required by this subsection must be in the following form:

NOTICE

- (1) This blood center performs a screening test for the human immunodeficiency virus (HIV) on every donor's blood.
- (2) This blood center reports to the state department of health the name and address of a blood donor when a confirmatory test of



the blood donor's blood confirms the presence of antibodies to the human immunodeficiency virus (HIV).

(3) A person who recklessly, knowingly, or intentionally donates (excluding self-donations for stem cell transplantation, other autologous donations, or donations not intended by the blood center for distribution or use), sells, or transfers blood that contains antibodies for the human immunodeficiency virus (HIV) commits ~~transferring contaminated blood, a Level 5 felony. The offense is a Level 4 felony if the offense results in the transmission of the virus to another person. a criminal offense as described in IC 35-45-21-1.~~

SECTION 2. IC 16-41-14-13, AS AMENDED BY P.L.158-2013, SECTION 244, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. A practitioner shall provide information to a semen donor to enable the semen donor to give informed consent to the procedures required by this chapter. The information required by this section must be in the following form:

NOTICE

(1) This facility performs a screening test for the human immunodeficiency virus (HIV) on every donor's blood.

(2) This facility reports to the state department of health the name and address of a semen donor or recipient when a confirmatory test of the semen donor's blood or the recipient's blood confirms the presence of antibodies to the human immunodeficiency virus (HIV).

(3) A person who, for the purpose of artificial insemination, recklessly, knowingly, or intentionally donates, sells, or transfers semen that contains antibodies for the human immunodeficiency virus (HIV) commits ~~transferring contaminated semen, a Level 5 felony. The offense is a Level 4 felony if the offense results in the transmission of the virus to another person. a criminal offense as described in IC 35-45-21-1.~~

SECTION 3. IC 20-19-3-7 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 7. (a) ~~The department may not accept or distribute to school corporations grants from the federal government under Title III of P.L.103-227 (repealed); if the state superintendent determines that acceptance or distribution of grant money does at least one (1) of the following:~~

~~(1) Authorizes an officer or employee of the federal government to mandate, direct, or control at least one (1) of the following:~~

~~(A) The department.~~

~~(B) A school corporation.~~



- (C) A school curriculum or program of instruction.
- (D) Allocation of a state or local government resource.
- (2) Requires the department, a school corporation, or a school to spend money or incur an expense not paid under Title III of P.L.103-227 (repealed).
- (3) Requires a school corporation, as a condition of participation, to increase the access of students to at least one (1) of the following:
  - (A) Social services.
  - (B) Health care.
  - (C) Nutrition.
  - (D) Services related to the services listed in clauses (A) through (C).
  - (E) Child care services.
- (4) Requires a school corporation, as a condition of participation, to implement an outcome based education program.
- (5) Requires a school corporation, as a condition of participation, to adopt:
  - (A) a national curriculum; or
  - (B) national assessment standards.
- (6) Requires federal government certification of:
  - (A) a state curriculum; or
  - (B) state assessment standards.

(b) The governing body of a school corporation that receives a grant under this section may withdraw from participation in the grant program at the following times:

- (1) At the end of a school year.
- (2) At any time during a school year, if money received for participation in the grant program is returned to the department. The amount that a school corporation must return to the department is the amount received for expenditure during the time after the school corporation has ceased to participate in the program.

SECTION 4. IC 20-33-8-31, AS AMENDED BY P.L.94-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) If a student is suspended from school or from any educational function under this chapter, the student's absence from school because of the suspension is not a violation of:

- (1) IC 20-33-2; or
- (2) any other statute relating to compulsory school attendance.

(b) If a student is expelled from school or from any educational function under this chapter, the student's absence from school because



of the expulsion is a violation of IC 20-33-2 or any other statute relating to compulsory school attendance if the student may enroll in:

- (1) an alternative education program in the county or in a county immediately adjacent to the county containing the school corporation from which the student was expelled; or
- (2) a virtual charter school; if the student does not enroll in a program or school described in subdivision (1) or (2);

during the student's expulsion. In the event an alternative education program or virtual charter school is not available for a student to attend under this subsection, the student's expulsion is not a violation of IC 20-33-2 or any other statute relating to compulsory school attendance.

SECTION 5. IC 20-35-12-1, AS ADDED BY P.L.260-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to children who are:

- (1) less than ~~ten (10)~~ **eleven (11)** years of age; and
- (2) deaf or hard of hearing.

SECTION 6. IC 22-15-6-4, AS AMENDED BY P.L.249-2019, SECTION 35, IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 4: (a)

As used in this chapter, "inspection agency" means:

- (1) an insurance company inspection agency; or
- (2) an owner or user inspection agency licensed under section 6 of this chapter.

(b) A boiler and pressure vessel inspector licensed under section 5 of this chapter and employed by an inspection agency may perform any of the following:

- (1) An inspection required by section 2 of this chapter.
- (2) The issuance of a permit under section 2 of this chapter.
- (3) The issuance of an appropriate order under IC 22-12-7 when an equipment law has been violated.

(c) The authority of an inspector acting under this chapter is limited to enforcement related to regulated boilers or pressure vessels insured; owned; or operated by the inspection agency employing the inspector.

(d) Unless an annual report is substituted under subsection (e), an inspection agency shall, within thirty (30) days after the completion of an inspection, submit to the office the report required by the commission. In addition to any other information required by the commission, the inspector conducting the inspection shall cite on the report any violation of the equipment law applicable to the regulated boiler or pressure vessel.

(e) In the case of boilers or pressure vessels inspected by an owner or user inspection agency, an annual report filed on or before the



annual date as the commission may prescribe for each report may be substituted. An annual report of an owner or user inspection agency must list, by number and abbreviated description necessary for identification, each boiler and pressure vessel inspected during the covered period; the date of the last inspection of each unit; and for each pressure vessel the approximate date for its next inspection under the rules of the commission. Each annual report of an owner or user inspection must also contain the certificate of a professional engineer registered under IC 25-31 and having supervision over the inspections reported; swearing or affirming under penalty of perjury that each inspection was conducted in conformity with the equipment laws:

(f) An owner or user inspection agency shall pay the fee set under IC 22-12-6 with a report under subsection (e).

(g) In addition to the reports required by subsections (d) and (e), an owner, a user, or an inspection agency shall immediately notify the division when an incident occurs to render a boiler or pressure vessel inoperative.

(h) An inspection agency, an owner, or a user that violates this section is subject to a disciplinary action under IC 22-12-7.

SECTION 7. IC 22-15-6-6, AS AMENDED BY P.L.249-2019, SECTION 37, IS REPEALED [EFFECTIVE JULY 1, 2020]. See: 6-(a) The division shall issue a license to act as an owner or user boiler and pressure vessel inspection agency to an applicant who qualifies under this section:

(b) A license issued under this section expires if the bond required by subsection (c)(3) becomes invalid.

(c) To qualify for a license under this section an applicant must:

- (1) submit the name and address of the applicant;
- (2) submit proof that inspections will be supervised by one (1) or more professional engineers licensed under IC 25-31 and regularly employed by the applicant;
- (3) provide a surety bond issued by a surety qualified to do business in Indiana for one hundred thousand dollars (\$100,000); made payable to the division and conditioned upon compliance with the equipment laws applicable to inspections and the true accounting for all funds due to the division; and
- (4) pay the fee set under IC 22-12-6-6(a)(9).

(d) An owner or user boiler and pressure vessel inspection agency licensee under this section shall maintain with the division the most current name and address of the licensee and the name of the professional engineer supervising the licensee's inspections and notify the division of any changes within thirty (30) days after the change



occurs. An inspection agency that violates this subsection is subject to a disciplinary action under IC 22-12-7.

(e) The commission may establish standards for the operation of inspection agencies.

(f) An inspection agency that violates this section is subject to a disciplinary action under IC 22-12-7.

SECTION 8. IC 35-52-16-51 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 51. IC 16-41-12-15 defines a crime concerning communicable diseases.

SECTION 9. IC 35-52-16-55 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 55. IC 16-41-14-13 defines a crime concerning communicable diseases.

SECTION 10. IC 36-1-8.5-3, AS AMENDED BY P.L.191-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "judge" means an individual who holds or formerly held office as:

- (1) a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, federal court, **probate court**, or small claims court; or
- (2) a magistrate, commissioner, or juvenile referee of a court.

SECTION 11. IC 34-30-14-2, AS AMENDED BY P.L.166-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. If compliance with sections 3 and 4 of this chapter has occurred, a school administrator, teacher, or other school employee designated by the school administrator, after consultation with the school nurse, who in good faith administers to a pupil:

- (1) a nonprescription medication in compliance with the written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;
- (2) a legend drug (as defined in IC 16-18-2-199) **and including or** injectable insulin in compliance with the:
  - (A) written order of a practitioner; and
  - (B) written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;
- (3) a glucose test in compliance with the written order of a practitioner;
- (4) health care services, basic life support, or other services that require the administrator, teacher, or employee to place the administrator's, teacher's, or employee's hands on the pupil for therapeutic or sanitary purposes; or
- (5) any combination of subdivisions (1) through (4);

is not personally liable for civil damages for any act that is incident to



or within the scope of the duties of the employee as a result of the administration except for an act or omission amounting to gross negligence or willful and wanton misconduct.

SECTION 12. IC 5-10-5.5-0.1, AS AMENDED BY SEA 181-2020, SECTION 1, AND AS AMENDED BY SEA 406-2020, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.1. (a) As used in this section, "plan" refers to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by section 2 of this chapter.

(b) The following amendments to this chapter apply as follows:

(1) The addition of section 7.5 of this chapter by P.L.180-2007 applies after June 30, 2007, to active participants of the plan.

(2) The amendments made to section 8 of this chapter by P.L.180-2007 apply after June 30, 2007, to active participants of the plan.

(3) The amendments made to sections 10, 11, and 12 of this chapter by P.L.180-2007 apply to participants of the plan who retire after June 30, 2007.

(4) The amendments made to sections 7 and 13.5 of this chapter by P.L.180-2007 apply to participants of the plan who become disabled after June 30, 2007.

(5) The addition of section 22 of this chapter by P.L.128-2008 applies only to a participant in the plan who is in active service after June 30, 2008.

(6) The amendments made to sections 9 and 10 of this chapter by P.L.128-2008 apply only to a participant in the plan who is in active service after June 30, 2008.

(7) *The amendments made to section 22 of this chapter during the 2020 regular session of the general assembly apply only to a participant who:*

*(A) enters the DROP, before, on, or after June 30, 2020; and*

*(B) dies after June 30, 2020.*

(c) *Notwithstanding any other law, if a participant dies in the line of duty after January 31, 2018, and before April 1, 2020, and a survivor's benefit is paid under section 17(b) of this chapter to the participant's survivor, either:*

*(1) the survivor may repay the full amount distributed under section 17(b) of this chapter and the board shall provide the full annual survivors' allowance allowed under section 16.6 of this chapter; or*

*(2) the board may adjust the amount of the full annual survivors'*



*allowance allowed under section 16.6 of this chapter to account for any amount distributed under section 17(b) of this chapter.*

SECTION 13. IC 34-30-2-24.2, AS AMENDED BY SEA 267-2020, SECTION 10, AND AS AMENDED BY SEA 343-2020, SECTION 23, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24.2. (a) IC 8-1-2.8-25 (Concerning InTRAC or a local exchange company for the development, adoption, implementation, maintenance, or operation of dual party relay services or telecommunications devices).

(b) IC 8-1-17.5-16 (Concerning a member or director of a rural electric membership corporation or *telephone communications* cooperative corporation that is merged or consolidated).

~~(c) IC 8-1-19.5-10 (Concerning a recognized 211 service provider and its employees, directors, officers, and agents for injuries or loss to persons or property as a result of an act or omission in connection with developing and providing 211 services).~~

SECTION 14. IC 35-40.5-4-2, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall inform the victim of the following:

- (1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, as ~~described in IC 16-21-8-2~~, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.
- (2) The victim's right to speak with a victim advocate or victim service provider. If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker.

SECTION 15. IC 35-40.5-5-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

- (1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, as ~~described in IC 16-21-8-2~~, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.
- (2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation, and that





the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.

SECTION 16. IC 35-40.5-7-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Upon initial interaction with a victim, a law enforcement officer or provider shall provide the victim with a document developed by the state sexual assault response team as described in IC 16-21-8-2, that explains the rights of victims:

- (1) under this article and other relevant law;
- (2) in a format accessible to persons with visual disabilities; and
- (3) in English, Spanish, and German.

(b) The document described in subsection (a) shall include the following:

- (1) A clear statement that a victim is not required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law.
- (2) Information concerning state and federal victim compensation funds for medical and other costs associated with the sexual assault.

SECTION 17. IC 5-10-8-7.3, AS AMENDED BY HEA 1176-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7.3. (a) As used in this section, "covered individual" means an individual who is:

- (1) covered under a self-insurance program established under section 7(b) of this chapter to provide group health coverage; or
- (2) entitled to services under a contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(b) As used in this section, "early intervention services" means services provided to a first steps child under IC 12-12.7-2 and 20 U.S.C. 1432(4).

(c) As used in this section, "first steps child" means an infant or toddler from birth through two (2) years of age who is enrolled in the Indiana first steps program and is a covered individual.

(d) As used in this section, "first steps program" refers to the program established under IC 12-12.7-2 and 20 U.S.C. 1431 et seq. to meet the needs of:

- (1) children who are eligible for early intervention services; and
- (2) their families.

The term includes the coordination of all available federal, state, local, and private resources available to provide early intervention services



within Indiana.

(e) As used in this section, "health benefits plan" means a:

- (1) self-insurance program established under section 7(b) of this chapter to provide group health coverage; or
- (2) contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(f) A health benefits plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services established by IC 12-9-1-1. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(g) The reimbursement required under subsection (f) may not be applied to any annual or aggregate lifetime limit on the first steps child's coverage under the health benefits plan.

(h) The first steps program may pay required deductibles, copayments, or other out-of-pocket expenses for a first steps child directly to a provider. A health benefits plan shall apply any payments made by the first steps program to the health benefits plan's deductibles, copayments, or other out-of-pocket expenses according to the terms and conditions of the health benefits plan.

(i) A health benefits plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the **plan plan**, once the individualized family service plan is signed by a physician.

(j) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 18. IC 21-38-6-1, AS AMENDED BY HEA 1176-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) An employee health plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) An employee health plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the **plan plan**, once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.



SECTION 19. IC 27-8-27-6, AS AMENDED BY HEA 1176-2020, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) A health insurance plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) A health insurance plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan**, once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 20. IC 35-44.1-3-1, AS AMENDED BY HEA 1032-2020, SECTION 1, AND AS AMENDED BY HEA 1225-2020, SECTION 4, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally:

- (1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;
- (2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or
- (3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by ~~a~~ *an emergency medical services provider or a law enforcement officer*, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with ~~law enforcement, public safety~~, a Class B misdemeanor, except as provided in subsection (c) or ~~(j)~~ *(k)*.

(c) The offense under subsection (a) or (b) is a:

- (1) Level 6 felony if:
  - (A) the person uses a vehicle to commit the offense; or
  - (B) while committing the offense, the person draws or uses a



deadly weapon, inflicts bodily injury on or otherwise causes bodily injury to another person, or operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;

(2) Level 5 felony if, while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person;

(3) Level 3 felony if, while committing the offense, the person operates a vehicle in a manner that causes the death or catastrophic injury of another person; and

(4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death or catastrophic injury of ~~a~~ *an emergency medical services provider or a law enforcement officer while the emergency medical services provider or law enforcement officer is engaged in the officer's emergency medical services provider's or officer's official duties.*

*(d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:*

*(1) subsection (a)(1) or (a)(2), the person:*

*(A) creates a substantial risk of bodily injury to the person or another person; and*

*(B) has two (2) or more prior unrelated convictions under subsection (a); or*

*(2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a).*

~~(d)~~ *(e) If a person uses a vehicle to commit a felony offense under subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least:*

*(1) thirty (30) days, if the person does not have a prior unrelated conviction under this section;*

*(2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or*

*(3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section.*

~~(e)~~ *(f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection ~~(d)~~ (e) may not be suspended.*

~~(f)~~ *(g) If a person is convicted of an offense involving the use of a motor vehicle under:*

*(1) subsection (c)(1)(A), if the person exceeded the speed limit by*



- at least twenty (20) miles per hour while committing the offense;
- (2) subsection (c)(2); or
- (3) subsection (c)(3);

the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license and all certificates of registration and license plates issued or registered in the person's name in accordance with IC 9-30-4-6.1(b)(3) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles.

~~(g)~~ (h) A person may not be charged or convicted of a crime under subsection (a)(3) if the law enforcement officer is a school resource officer acting in the officer's capacity as a school resource officer.

~~(h)~~ (i) A person who commits an offense described in subsection ~~(b)~~ (c) commits a separate offense for each person whose bodily injury, serious bodily injury, catastrophic injury, or death is caused by a violation of subsection ~~(b)~~ (c).

~~(i)~~ (j) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection ~~(b)~~ (c) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).

~~(j)~~ (k) As used in this subsection, "family member" means a child, grandchild, parent, grandparent, or spouse of the person. It is a defense to a prosecution under subsection (b) that the person reasonably believed that the person's family member:

- (1) was in the marked off area; and
- (2) had suffered bodily injury or was at risk of suffering bodily injury;

if the person is not charged as a defendant in connection with the offense, if applicable, that caused the area to be secured by barrier tape or other physical barriers.

SECTION 21. IC 4-3-27-3, AS AMENDED BY HEA 1153-2020, SECTION 1, AND AS AMENDED BY HEA 1419-2020, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:  
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,



general assembly, commission for higher education, and state board of education 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, general assembly, commission for higher education, and state board of education 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, general assembly, commission for higher education, and state board of education goals to meet the investment needs.

(5) Recommend to the governor, general assembly, commission for higher education, and state board of education goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, general assembly, commission for higher education, and state board of education 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, general assembly, commission for higher education, and state board of education 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:

- (A) the governor;
- (B) the commission for higher education;
- (C) the state board of education; and
- (D) the general assembly in an 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:

- (A) the governor;
- (B) the commission for higher education;
- (C) the state board of education; and
- (D) the general assembly in an electronic format under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:

- (A) Indiana's *early childhood*, primary, secondary, and postsecondary education systems are aligned with employer needs; and
- (B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) *On or before December 1, 2020*, create a comprehensive strategic plan to ensure alignment between Indiana's *early childhood*, primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.

(17) Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.

(18) *Work with stakeholders from early learning to the workforce to establish alignment and coordination between the early learning advisory committee (established by IC 12-17.2-3.8-5), state board of education, commission for higher education, and department of workforce development.*

~~(18)~~ (19) Carry out other policy duties and tasks as assigned by



the governor.





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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: \_\_\_\_\_

