



January 23, 2024

SENATE BILL No. 153

DIGEST OF SB 153 (Updated January 18, 2024 3:14 pm - DI 140)

Citations Affected: IC 6-3.1; IC 12-17.2.

Synopsis: Child care regulation matters. Provides, with respect to the individual with certification in cardiopulmonary resuscitation (CPR) required to be present at all times when a child is in the care of a child care provider that is eligible to receive reimbursement through the federal Child Care and Development Fund (CCDF) program, that the individual is not required to be recertified in CPR annually. Amends references to funds provided to children under the On My Way Pre-K program or the CCDF program as grants to instead refer to the funds as child care vouchers. Provides that a child who resides with a parent or guardian who receives disability benefits from the United States Department of Veterans Affairs is eligible for the On My Way Pre-K program. Makes technical corrections.

Effective: July 1, 2024.

**Rogers, Donato, Charbonneau,
Ford J.D.**

January 8, 2024, read first time and referred to Committee on Family and Children Services.

January 22, 2024, reported favorably — Do Pass; reassigned to Committee on Appropriations.

SB 153—LS 6616/DI 119



January 23, 2024

Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 153

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

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

1 SECTION 1. IC 6-3.1-30.5-7, AS AMENDED BY P.L.202-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 7. (a) A taxpayer that makes a contribution to a
4 scholarship granting organization for use by the scholarship granting
5 organization in a school scholarship program is entitled to a credit
6 against the taxpayer's state tax liability in the taxable year in which the
7 taxpayer makes the contribution.

8 (b) A taxpayer is not entitled to a credit under this chapter for a
9 contribution to a scholarship granting organization that is used to
10 provide a scholarship or other assistance to a child participating in the
11 ~~early education grant pilot~~ **prekindergarten** program under
12 IC 12-17.2-7.2.

13 SECTION 2. IC 12-17.2-3.5-8, AS AMENDED BY P.L.171-2014,
14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2024]: Sec. 8. (a) At least one (1) adult individual who
16 maintains ~~annual~~ **current** certification in a course of cardiopulmonary
17 resuscitation applicable to all age groups of children cared for by a

SB 153—LS 6616/DI 119



1 provider shall be present at all times when a child is in the care of the
2 provider.

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

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

8 (2) If the individual is:

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

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

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

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

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

20 (4) Beginning July 1, 2015, unless the provider is a parent,
21 stepparent, guardian, custodian, or other relative to each child in
22 the care of the provider, the individual annually must receive at
23 least twelve (12) hours of continuing education approved by the
24 division and related to the age appropriate educational
25 development, care, and safety of children. The hours of
26 continuing education required by this subdivision may include the
27 training described in this chapter concerning child abuse
28 detection and prevention, first aid, cardiopulmonary resuscitation,
29 and safe sleeping practices.

30 (5) Not more than three (3) months after the individual begins
31 employment or volunteer duties, the individual must receive
32 training approved by the division concerning child abuse
33 detection and prevention.

34 (c) A provider shall:

35 (1) maintain at the facility where the provider operates a child
36 care program documentation of all training and completion of
37 continuing education required by this section; and

38 (2) make the documentation available to the division upon
39 request.

40 SECTION 3. IC 12-17.2-7.2-1, AS AMENDED BY P.L.201-2023,
41 SECTION 138, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this chapter, "eligible



1 child" refers to an individual who:

- 2 (1) is at least four (4) years of age and less than five (5) years of
 3 age on August 1 of the state fiscal year for which a **grant child**
 4 **care voucher** is sought under the prekindergarten **pilot** program;
 5 (2) is a resident of Indiana or otherwise has legal settlement in
 6 Indiana, as determined under IC 20-26-11;
 7 (3) is a member of a household with an annual income that does
 8 not exceed one hundred fifty percent (150%) of the federal
 9 poverty level;
 10 (4) receives qualified early education services from an eligible
 11 provider, as determined by the office;
 12 (5) has a parent or guardian who participates in a parental
 13 engagement and involvement component provided by the eligible
 14 provider;
 15 (6) has a parent or guardian who agrees to ensure that the child
 16 meets the attendance requirements determined by the office; and
 17 (7) meets the requirements under section 7.2(a) and 7.2(c) of this
 18 chapter.

19 SECTION 4. IC 12-17.2-7.2-2, AS AMENDED BY P.L.268-2019,
 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2024]: Sec. 2. As used in this chapter, "eligible provider"
 22 refers to a provider that satisfies the following conditions:

- 23 (1) The provider is:
 24 (A) a:
 25 (i) public school, including a charter school;
 26 (ii) child care center licensed under IC 12-17.2-4;
 27 (iii) child care home licensed under IC 12-17.2-5; or
 28 (iv) child care ministry registered under IC 12-17.2-6;
 29 that meets the standards of quality recognized by a Level 3 or
 30 Level 4 paths to QUALITY program rating;
 31 (B) a school that is accredited by the state board of education
 32 or a national or regional accreditation agency that is
 33 recognized by the state board of education; or
 34 (C) a school that is accredited to provide qualified early
 35 education services by an accrediting agency approved by the
 36 office of the secretary.
 37 (2) The provider:
 38 (A) provides qualified early education services to eligible and
 39 limited eligibility children; and
 40 (B) complies with the agreement with the office concerning
 41 the delivery of qualified education services and the use of a
 42 **grant child care voucher** provided under this chapter.



1 SECTION 5. IC 12-17.2-7.2-2.5, AS AMENDED BY P.L.246-2023,
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 2.5. As used in this chapter, "limited eligibility
 4 child" refers to an individual who:

- 5 (1) is at least four (4) years of age and less than five (5) years of
 6 age on August 1 of the state fiscal year for which a **grant child**
 7 **care voucher** is sought under the prekindergarten program;
- 8 (2) is a resident of Indiana or otherwise has legal settlement in
 9 Indiana, as determined under IC 20-26-11;
- 10 (3) receives qualified early education services from an eligible
 11 provider, as determined by the office;
- 12 (4) has a parent or guardian who agrees to ensure that the child
 13 meets the attendance requirements determined by the office;
- 14 (5) has a parent or guardian who participates in a parental
 15 engagement and involvement component provided by the eligible
 16 provider;
- 17 (6) is a member of a household with an annual income that does
 18 not exceed one hundred eighty-five percent (185%) of the federal
 19 poverty level;
- 20 (7) meets the requirements of section 7.2(b) and 7.2(c) of this
 21 chapter; and
- 22 (8) is not an eligible child.

23 SECTION 6. IC 12-17.2-7.2-7, AS AMENDED BY P.L.246-2023,
 24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2024]: Sec. 7. (a) The prekindergarten program is established
 26 to provide: **grants for**:

- 27 (1) **child care vouchers for** qualified early education services in
 28 a manner consistent with how funds are distributed under the
 29 Child Care and Development Fund (CCDF) ~~grant~~ **child care**
 30 **voucher** program; and
- 31 (2) **grants for** expansion plans as described in section 7.4(a)(2)
 32 of this chapter.

33 (b) The office shall administer the prekindergarten program. The
 34 prekindergarten program may include:

- 35 (1) eligible providers in Indiana; and
- 36 (2) potential eligible providers or existing eligible providers as
 37 described in section 7.4 of this chapter.

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



1 (d) The prekindergarten program includes eligible providers in any
2 county in Indiana.

3 (e) Subject to the requirements of this chapter, the office shall
4 determine:

5 (1) the eligibility requirements, application process, and selection
6 process for ~~awarding grants~~ **providing child care vouchers** under
7 the prekindergarten program;

8 (2) the administration and reporting requirements for:

9 (A) eligible providers; and

10 (B) potential eligible providers or existing eligible providers;
11 participating in the prekindergarten program; and

12 (3) with the assistance of the early learning advisory committee,
13 an appropriate outcomes based accountability system for:

14 (A) eligible providers; and

15 (B) potential eligible providers or existing eligible providers.

16 (f) The office shall, subject to the availability of funding, determine
17 the number of eligible children who will participate in the
18 prekindergarten program. After December 31, 2019, the office shall,
19 subject to the availability of funding, determine the number of limited
20 eligibility children who will participate in the prekindergarten program.

21 SECTION 7. IC 12-17.2-7.2-7.2, AS AMENDED BY P.L.268-2019,
22 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2024]: Sec. 7.2. (a) For an eligible child to qualify for a **grant**
24 **child care voucher** under this chapter, the eligible child must reside
25 with a parent or guardian who is:

26 (1) working or attending a job training or an educational program;

27 or

28 (2) actively seeking employment, subject to the approval by the
29 United States Department of Health and Human Services as
30 provided in 45 CFR 98.21.

31 (b) For a limited eligibility child to qualify for a **grant child care**
32 **voucher** under this chapter, the limited eligibility child must reside
33 with a parent or guardian who:

34 (1) is working or attending a job training or an educational
35 program;

36 (2) is actively seeking employment, subject to the approval by the
37 United States Department of Health and Human Services as
38 provided in 45 CFR 98.21; or

39 (3) receives Social Security Disability Insurance, ~~or~~ Supplemental
40 Security Income benefits, **or disability benefits from the United**
41 **States Department of Veterans Affairs.**

42 (c) Before the office may ~~award~~ **provide** a **grant child care voucher**



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

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

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

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

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

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

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

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

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

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

32 (d) Priority may be given to an eligible or limited eligibility child
 33 under this section if a parent or guardian of the eligible or limited
 34 eligibility child is:

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

37 (2) involved in job training.

38 SECTION 8. IC 12-17.2-7.2-7.8, AS AMENDED BY P.L.246-2023,
 39 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 7.8. (a) The office shall make random onsite
 41 inspections each year, as determined necessary by the office, at the
 42 facility of:

SB 153—LS 6616/DI 119



- 1 (1) an eligible provider **that receives a child care voucher under**
 2 **this chapter;** or
 3 (2) a potential eligible provider or existing eligible provider **that**
 4 **receives a grant under section 7.4 of this chapter.**
 5 **that receives a grant under this chapter.**
- 6 (b) The office may determine that an eligible provider or potential
 7 eligible provider or existing eligible provider is not eligible to receive
 8 a **child care voucher or** grant under the prekindergarten program if the
 9 eligible provider or potential eligible provider or existing eligible
 10 provider:
 11 (1) fails to comply with this chapter; or
 12 (2) refuses to allow, during normal business hours, the office or
 13 an agent of the office to inspect the facility at which the eligible
 14 provider or potential eligible provider or existing eligible provider
 15 operates a child care program for eligible or limited eligibility
 16 children.
- 17 SECTION 9. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019,
 18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 8. (a) The office shall determine:
 20 (1) which applicants shall be **awarded provided a:**
 21 **(A) child care voucher under this chapter; or**
 22 **(B) grant under section 7.4 of this chapter;** and
 23 (2) subject to subsection (b) and to the availability of funding, the
 24 amount of each **child care voucher or** grant.
- 25 (b) At least five percent (5%) but not more than fifty percent (50%)
 26 of the:
 27 (1) tuition for eligible or limited eligibility children under the
 28 prekindergarten ~~pitot~~ program; or
 29 (2) expansion plan described in section 7.4(a) of this chapter;
 30 during the state fiscal year must be paid from donations, gifts, grants,
 31 bequests, and other funds received from a private entity or person, from
 32 the United States government, or from other sources (excluding funds
 33 from a **child care voucher or** grant provided under this chapter and
 34 excluding other state funding). The office may receive and administer
 35 grants on behalf of the prekindergarten ~~pitot~~ program. The grants shall
 36 be distributed by the office to fulfill the requirements of this
 37 subsection.
- 38 (c) The amount of a ~~grant made~~ **child care voucher provided** under
 39 the ~~pitot~~ **prekindergarten** program to an eligible or limited eligibility
 40 child:
 41 (1) who attends a prekindergarten program full time must equal
 42 at least two thousand five hundred dollars (\$2,500) during the



1 state fiscal year; and

2 (2) may not exceed six thousand eight hundred dollars (\$6,800)
3 from state money provided under this chapter during the state
4 fiscal year.

5 SECTION 10. IC 12-17.2-7.2-8.1, AS AMENDED BY
6 P.L.246-2023, SECTION 16, IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.1. (a) If funds are
8 appropriated by the general assembly, **grants child care vouchers**
9 **provided** to limited eligibility children may not exceed:

10 (1) twenty percent (20%) of the amount appropriated for a
11 particular state fiscal year if families with children four (4) years
12 of age are on the waiting list for funds available under the Child
13 Care Development Fund; or

14 (2) forty percent (40%) of the amount appropriated for a
15 particular state fiscal year if there is no waiting list for children
16 four (4) years of age for funds available under the Child Care
17 Development Fund.

18 (b) During the priority enrollment period, the office shall provide
19 **grants child care vouchers** to eligible children in the prekindergarten
20 program on a first-come, first-served basis. The office shall date stamp
21 and reserve applications for limited eligibility children received during
22 the priority enrollment period for processing during the extended
23 enrollment period.

24 (c) During the extended enrollment period, the office shall provide
25 **grants child care vouchers** to eligible children and limited eligibility
26 children in the prekindergarten program on a first-come, first-served
27 basis to the extent of available funding and in accordance with the limit
28 established by subsection (a).

29 SECTION 11. IC 12-17.2-7.2-10, AS ADDED BY P.L.202-2014,
30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2024]: Sec. 10. The office shall apply for any available
32 waivers under the federal Child Care and Development Fund (CCDF)
33 **grant child care voucher** program and the federal Head Start program.

34 SECTION 12. IC 12-17.2-7.2-11, AS AMENDED BY
35 P.L.201-2023, SECTION 139, AND AS AMENDED BY
36 P.L.246-2023, SECTION 17, AND AS AMENDED BY THE
37 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
38 ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. *Except as provided*
40 *under IC 20-51-1-4.3(4)(E)*. The receipt of a **grant child care voucher**
41 under the *pilot prekindergarten* program does not qualify, nor have an
42 effect on the qualification or eligibility, of a child for a choice



1 scholarship under IC 20-51-4.

2 SECTION 13. IC 12-17.2-7.2-13, AS AMENDED BY
3 P.L.246-2023, SECTION 19, IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) The office shall,
5 before November 1 of each year, submit a report to the governor, the
6 budget committee, the state board of education, the department of
7 education, and, in an electronic format under IC 5-14-6, the general
8 assembly regarding the prekindergarten program.

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

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

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

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

18 SECTION 14. IC 12-17.2-7.2-13.1, AS AMENDED BY
19 P.L.246-2023, SECTION 20, IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13.1. The office shall
21 post monthly on the office's website the total enrollment of and number
22 of **grants child care vouchers** awarded to:

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

24 (2) after December 31, 2019, both:

25 (A) all eligible children; and

26 (B) all limited eligibility children;

27 for each county that participates in the prekindergarten program.

28 SECTION 15. IC 12-17.2-7.2-13.5, AS AMENDED BY
29 P.L.246-2023, SECTION 21, IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13.5. (a) The
31 prekindergarten program fund is established to:

32 (1) provide **grants child care vouchers** to eligible or limited
33 eligibility children for qualified early education services under
34 this chapter;

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

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

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

41 (b) The fund consists of:

42 (1) money appropriated to the fund by the general assembly; and



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



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 153, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 153 as introduced.)

WALKER G, Chairperson

Committee Vote: Yeas 6, Nays 0

