



Reprinted
February 15, 2019

SENATE BILL No. 158

DIGEST OF SB 158 (Updated February 14, 2019 2:51 pm - DI 128)

Citations Affected: IC 21-22.

Synopsis: Indiana youth service program. Provides that Ivy Tech Community College (Ivy Tech) shall develop a proposal to establish the Indiana youth service program (program) to provide high school graduates with the opportunity to learn various skills and participate in service at host sites throughout Indiana. Provides that Ivy Tech may seek input on the program from the department of workforce development, the commission for higher education, and the legislative services agency. Provides that Ivy Tech shall present the proposed program, including costs of administration, to the budget committee and the general assembly for review and consideration not later than December 1, 2019.

Effective: July 1, 2019.

**Ruckelshaus, Doriot, Ford J.D.,
Kruse, Lanane, Randolph Lonnie M**

January 3, 2019, read first time and referred to Committee on Pensions and Labor.
January 16, 2019, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 7, 2019, amended, reported favorably — Do Pass.
February 14, 2019, read second time, amended, ordered engrossed.

SB 158—LS 6375/DI 128



Reprinted
February 15, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 158

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

- 1 SECTION 1. IC 21-22-7 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]:
4 **Chapter 7. Indiana Youth Service Program**
5 **Sec. 1. This chapter applies to a student entering grade 12 in**
6 **2020 and thereafter.**
7 **Sec. 2. As used in this chapter, "eligible institution" refers to a**
8 **postsecondary educational institution that:**
9 (1) operates in Indiana;
10 (2) is either operated by the state or operated as a nonprofit;
11 (3) operates an organized program of postsecondary
12 education leading to a technical certificate, nursing diploma,
13 or associate or baccalaureate degree; and
14 (4) is accredited by:
15 (A) a recognized regional accrediting agency;
16 (B) the board for proprietary education under
17 IC 21-18.5-6;

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1 (C) the Indiana state board of nursing; or

2 (D) the department of workforce development under
3 IC 22-4.1-21.

4 Sec. 3. As used in this chapter, "program" refers to the
5 proposed Indiana youth service program established by section 4
6 of this chapter.

7 Sec. 4. Not later than December 1, 2019, Ivy Tech Community
8 College shall develop a proposal to establish the Indiana youth
9 service program to do the following:

10 (1) Encourage young people to remain in Indiana after
11 graduating from high school.

12 (2) Provide program participants with the skills that will
13 enable them to successfully make the transition from high
14 school to:

15 (A) an institution of higher education; or

16 (B) the workforce.

17 (3) Provide a model of social engagement for young people,
18 and encourage relationships among young people across
19 diverse communities.

20 (4) Encourage a culture of civic participation and promote
21 democracy.

22 Ivy Tech Community College shall administer the program.

23 Sec. 5. (a) In developing the program, Ivy Tech Community
24 College shall provide for the inclusion of a selection committee that
25 shall review applications and select potential participants for the
26 program as part of a competitive application process. The selection
27 committee shall consist of the following nine (9) members:

28 (1) The president of Ivy Tech Community College or the
29 president's designee, who shall serve as chair.

30 (2) The commissioner of the department of workforce
31 development or the commissioner's designee.

32 (3) The commissioner of the commission for higher education
33 or the commissioner's designee.

34 (4) An executive assistant to the governor designated by the
35 governor.

36 (5) One (1) member of the house of representatives appointed
37 by the speaker of the house of representatives.

38 (6) One (1) member of the house of representatives appointed
39 by the minority leader of the house of representatives.

40 (7) One (1) member of the senate appointed by the president
41 pro tempore of the senate.

42 (8) One (1) member of the senate appointed by the minority



- 1 leader of the senate.
- 2 (9) A representative of a nonprofit organization that
3 specializes in youth services, appointed by the governor.
- 4 (b) The chair of the selection committee shall establish the
5 meeting times and dates for the selection committee.
- 6 (c) Each member of the selection committee who is a member of
7 the general assembly is a nonvoting member.
- 8 (d) Each member of the selection committee who is not a state
9 employee is entitled to the minimum salary per diem provided by
10 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
11 for traveling expenses as provided under IC 4-13-1-4 and other
12 expenses actually incurred in connection with the member's duties
13 as provided in the state policies and procedures established by the
14 Indiana department of administration and approved by the budget
15 agency.
- 16 (e) Each member of the selection committee who is a state
17 employee but who is not a member of the general assembly is
18 entitled to reimbursement for traveling expenses as provided under
19 IC 4-13-1-4 and other expenses actually incurred in connection
20 with the member's duties as provided in the state policies and
21 procedures established by the Indiana department of
22 administration and approved by the budget agency.
- 23 (f) Each member of the selection committee who is a member of
24 the general assembly is entitled to receive the same per diem,
25 mileage, and travel allowances paid to legislative members of
26 interim study committees established by the legislative council or
27 the legislative services agency.
- 28 (g) The expenses of the selection committee shall be paid from
29 the Indiana youth service program fund established under section
30 11 of this chapter.
- 31 Sec. 6. (a) Except as provided in subsection (b), the selection
32 committee described in section 5 of this chapter may consider a
33 student's application only if the student meets the following
34 requirements:
- 35 (1) Is a resident of Indiana.
- 36 (2) Is entering grade 12 at a:
- 37 (A) public school, including a charter school;
- 38 (B) nonpublic school that is accredited by either the state
39 board of education or a national or regional accreditation
40 agency that is recognized by the state board of education;
- 41 or
- 42 (C) nonaccredited nonpublic school.



1 **(3) Agrees, in writing, together with the student's custodial**
 2 **parents or guardian, that the student will graduate from a**
 3 **secondary school located in Indiana that meets the admission**
 4 **criteria of an eligible institution.**

5 **(b) In addition to a student who meets the minimum**
 6 **requirements under subsection (a), the selection committee may**
 7 **consider a student who:**

8 **(1) before or during grade 11 is placed by or with the consent**
 9 **of the department of child services, by a court order, or by a**
 10 **child placing agency in:**

11 **(A) a foster family home;**

12 **(B) the home of a relative or other unlicensed caretaker;**

13 **(C) a child caring institution; or**

14 **(D) a group home;**

15 **(2) meets the requirements in subsection (a)(1) through (a)(2);**
 16 **and**

17 **(3) agrees in writing, together with the student's caseworker**
 18 **(as defined in IC 31-9-2-11) or legal guardian, to the**
 19 **conditions set forth in subsection (a)(3).**

20 **(c) The selection committee shall consider an applicant's**
 21 **curiosity, work ethic, and enthusiasm for serving others in**
 22 **determining whether the applicant may be selected for**
 23 **consideration as a program participant.**

24 **(d) In selecting potential program participants, the selection**
 25 **committee shall strive to ensure that each group of program**
 26 **participants embodies Indiana's socioeconomic, geographic, racial,**
 27 **religious, ethnic, and political diversity.**

28 **Sec. 7. (a) As part of the program under section 4 of this**
 29 **chapter, Ivy Tech Community College shall select entities to serve**
 30 **as service host sites for program participants. Ivy Tech**
 31 **Community College shall consider:**

32 **(1) the entity's capacity to engage participants in meaningful**
 33 **work; and**

34 **(2) the entity's ability to ensure a variety of experiences for**
 35 **participants;**

36 **when selecting an entity as a service host site.**

37 **(b) Ivy Tech Community College may also consider the entity's**
 38 **ability to contribute to the costs of hosting program participants,**
 39 **including housing costs, if needed.**

40 **(c) In considering the criteria set forth in subsections (a) and (b),**
 41 **Ivy Tech Community College shall strive to include a diverse array**
 42 **of entities as service host sites, including but not limited to:**



- 1 (1) private employers in the areas of:
 2 (A) advanced manufacturing;
 3 (B) building and construction;
 4 (C) health and life sciences;
 5 (D) information technology and business services;
 6 (E) transportation and logistics; and
 7 (F) agriculture;
 8 (2) nonprofit, faith based, and community organizations;
 9 (3) school corporations and charter schools; and
 10 (4) political subdivisions.

11 Sec. 8. (a) A program participant may be released from
 12 completing a term of service for compelling personal
 13 circumstances, as determined by the department, or for cause.

14 (b) Compelling personal circumstances include those
 15 circumstances beyond the program participant's control,
 16 including:

- 17 (1) a participant's disability or serious illness;
 18 (2) a family member's disability, serious illness, or death; or
 19 (3) conditions attributable to the program or otherwise
 20 unforeseeable and beyond the program participant's control,
 21 such as a natural disaster, a strike, or the relocation of a
 22 spouse.

23 (c) Compelling personal circumstances do not include leaving
 24 the program:

- 25 (1) to enroll in school;
 26 (2) to obtain employment; or
 27 (3) because of dissatisfaction with the program.

28 (d) A release for cause encompasses any circumstance other
 29 than compelling personal circumstances that warrants an
 30 individual's release from completing a term of service. The
 31 department must release for cause a program participant who is
 32 convicted of a felony or for the sale or distribution of a controlled
 33 substance (as defined in IC 35-48-1-9) during the participant's
 34 term of service.

35 Sec. 9. Ivy Tech Community College may adopt policies to
 36 implement the program under this chapter, and may seek input
 37 about the program from other entities, including but not limited to:

- 38 (1) the department of workforce development;
 39 (2) the commission for higher education; and
 40 (3) the legislative services agency.

41 Sec. 10. In developing the proposal, Ivy Tech Community
 42 College shall explore the possibility of:



- 1 **(1) accessing federal or other grant funding for the program;**
- 2 **and**
- 3 **(2) awarding program participants with academic credit,**
- 4 **certification, or scholarships for service in the program.**
- 5 **Sec. 11. Not later than December 1, 2019, Ivy Tech Community**
- 6 **College shall submit the proposed program, including the**
- 7 **projected costs of administration, to the budget committee**
- 8 **established by IC 4-12-1-3 and, in an electronic format under**
- 9 **IC 5-14-6, to the general assembly for review and consideration.**
- 10 **Sec. 12. This chapter expires July 1, 2024.**



COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, after line 42, begin a new paragraph and insert:

"(c) Each member of the selection committee who is a member of the general assembly is a nonvoting member.

(d) Each member of the selection committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided 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.

(e) Each member of the selection committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided 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.

(f) Each member of the selection committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council or the legislative services agency.

(g) The expenses of the selection committee shall be paid from the Indiana youth service program fund established under section 13 of this chapter."

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

(Reference is to SB 158 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 6, Nays 5.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 3, begin a new paragraph and insert:

"SECTION 1. IC 21-22-7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:".

Page 1, line 4, delete "27." and insert "7."

Page 2, line 20, delete "The department" and insert "**Ivy Tech Community College**".

Page 2, line 24, delete "eight (8)" and insert "**nine (9)**".

Page 2, between lines 24 and 25, begin a new line block indented and insert:

"(1) The president of Ivy Tech Community College or the president's designee, who shall serve as chair."

Page 2, line 25, delete "(1)" and insert "**(2)**".

Page 2, line 25, after "department" insert "**of workforce development**".

Page 2, line 26, delete "designee, who shall serve as chair." and insert "**designee**".

Page 2, line 27, delete "(2)" and insert "**(3)**".

Page 2, line 29, delete "(3)" and insert "**(4)**".

Page 2, line 31, delete "(4)" and insert "**(5)**".

Page 2, line 33, delete "(5)" and insert "**(6)**".

Page 2, line 35, delete "(6)" and insert "**(7)**".

Page 2, line 37, delete "(7)" and insert "**(8)**".

Page 2, line 39, delete "(8)" and insert "**(9)**".

Page 3, line 25, delete "13" and insert "**11**".

Page 4, delete lines 22 through 31.

Page 4, line 32, delete "8." and insert "7."

Page 4, line 32, delete "The department" and insert "**Ivy Tech Community College**".

Page 4, line 33, delete "The department" and insert "**Ivy Tech Community College**".

Page 4, line 39, delete "The department" and insert "**Ivy Tech Community College**".

Page 5, line 1, delete "the department" and insert "**Ivy Tech Community College**".

Page 5, delete lines 13 through 18.



Page 5, line 19, delete "10." and insert "8."

Page 6, delete lines 1 through 16, begin a new paragraph and insert:

"Sec. 9. Ivy Tech Community College may adopt policies to implement the program under this chapter."

Page 6, line 17, delete "12." and insert "10."

Page 6, line 17, delete "The department" and insert **"Ivy Tech Community College"**.

Page 6, line 22, delete "13." and insert "11."

Page 6, line 33, delete "department" and insert **"state budget agency"**.

Page 7, line 4, after "fund" insert ".".

Page 7, line 4, delete "but remains available to the".

Page 7, delete line 5.

Page 7, line 6, delete "14." and insert "12."

Page 7, line 6, delete "The department" and insert **"Ivy Tech Community College"**.

Page 7, line 7, after "program" insert ",".

Page 7, line 7, delete "and the Indiana".

Page 7, line 8, delete "youth service program fund,".

Page 7, delete lines 9 through 11.

Page 7, line 12, delete "(2)" and insert "(1)".

Page 7, line 13, delete "(3)" and insert "(2)".

Page 7, line 13, delete "with which program participants are placed." and insert **"with which program participants engage or entities that sponsor or partner with the program."**

Page 7, line 14, delete "(4)" and insert "(3)".

Page 7, line 16, delete "(5)" and insert "(4)".

Page 7, line 16, delete "the fund or".

and when so amended that said bill do pass.

(Reference is to SB 158 as printed January 17, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 2.



SENATE MOTION

Madam President: I move that Senate Bill 158 be amended to read as follows:

Page 2, line 4, after "to the" insert "**proposed**".

Page 2, line 6, delete "The" and insert "**Not later than December 1, 2019, Ivy Tech Community College shall develop a proposal to establish the**".

Page 2, line 6, delete "is established".

Page 2, line 21, delete "A" and insert "**In developing the program, Ivy Tech Community College shall provide for the inclusion of a**".

Page 2, line 21, after "committee" insert "**that**".

Page 3, line 29, after "committee" insert "**described in section 5 of this chapter**".

Page 4, line 24, after "(a)" insert "**As part of the program under section 4 of this chapter,**".

Page 5, line 31, delete "chapter." and insert "**chapter, and may seek input about the program from other entities, including but not limited to:**

- (1) the department of workforce development;**
- (2) the commission for higher education; and**
- (3) the legislative services agency."**

Page 5, line 32, after "Sec. 10." insert "**In developing the proposal,**".

Page 5, delete lines 38 through 42.

Page 6, delete lines 1 through 29.

Page 6, line 30, delete "(b)" and insert "**Sec. 11.**".

Page 6, line 30, delete "November 1, 2019, and each November 1" and insert "**December 1, 2019,**".

Page 6, line 31, delete "thereafter, the department" and insert "**Ivy Tech Community College**".

Page 6, line 31, delete "a report to the governor" and insert "**the proposed program, including the projected costs of administration, to the budget committee established by IC 4-12-1-3**".

Page 6, line 33, delete "summarizing activities described in subsection (a) from" and insert "**for review and consideration.**".

Page 6, delete line 34.

Page 6, line 35, delete "15." and insert "**12.**".

(Reference is to SB 158 Digest Correction, as printed February 8, 2019.)

RUCKELSHAUS

