



Reprinted  
February 6, 2024

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## SENATE BILL No. 202

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DIGEST OF SB 202 (Updated February 5, 2024 4:24 pm - DI 110)

**Citations Affected:** IC 21-19; IC 21-20; IC 21-21; IC 21-22; IC 21-23; IC 21-24; IC 21-25; IC 21-27; IC 21-38; IC 21-39; IC 21-39.5; IC 21-49.

**Synopsis:** State educational institution matters. Amends the duties of state educational institutions' diversity committees. Provides that certain offices or individuals established or employed by a state educational institution (institution) regarding diversity programming must include within the mission of the office or position programming that substantially promotes both cultural and intellectual diversity. Establishes various requirements and restrictions for institutions regarding free inquiry, free expression, and intellectual diversity that does the following: (1) Requires the establishment of certain policies regarding: (A) disciplinary actions for certain persons that materially and substantially disrupt protected expressive activity; (B) limiting or restricting the granting of tenure or a promotion if certain conditions related to free inquiry, free expression, and intellectual diversity are not  
(Continued next page)

**Effective:** Upon passage; July 1, 2024.

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**Deery, Raatz, Johnson T, Byrne,  
Donato, Crane, Rogers**

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January 9, 2024, read first time and referred to Committee on Education and Career Development.  
January 25, 2024, amended, reported favorably — Do Pass.  
February 5, 2024, read second time, amended, ordered engrossed.

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SB 202—LS 6786/DI 110



## Digest Continued

met; and (C) disciplinary actions that will be taken if, after a review, a determination has been made that a tenured faculty member has failed to meet certain criteria related to free inquiry, free expression, and intellectual diversity. (2) Requires the review and consideration, at least every five years, of certain criteria related to free inquiry, free expression, and intellectual diversity. (3) Requires the establishment of a procedure that allows students and employees to submit complaints that a faculty member or contractor is not meeting certain criteria related to free inquiry, free expression, and intellectual diversity and establishes requirements regarding the procedure and submitted complaints. (4) Establishes consideration requirements before an institution renews an employment agreement or other contract with, makes a bonus decision regarding, or completes a review or performance assessment of a faculty member or contractor. (5) Prohibits requiring an applicant, employee, or contractor to pledge allegiance to or make a statement of personal support for: (A) certain policies or actions; or (B) political or ideological movements. (6) Establishes restrictions regarding awarding admission, enrollment, employment, benefits, hiring, reappointment, promotion, or granting tenure to an applicant, employee, or contractor on the basis of the viewpoints expressed in a submitted pledge or statement. (7) Requires certain information be included in an institution's programming for new students. (8) Requires the adoption of a statement on neutrality that makes a distinction between the official positions of an institution from the individual viewpoints of the institution's employees, contractors, students, and alumni. (9) Allows the commission for higher education (commission) to establish a survey that attempts to collect information from students regarding the current perceptions of whether free speech and academic freedom are recognized and fostered by an institution in a manner that welcomes expression of different opinions and ideologies and requires an institution to promote and provide the survey to students. (10) Establishes various reporting requirements by institutions or the commission concerning the following: (A) Complaints submitted regarding faculty members or contractors who are not meeting certain criteria related to free inquiry, free expression, and intellectual diversity. (B) Institutions' budget allocations for diversity, equity, and inclusion initiatives. (11) Provides that certain individuals may request the commission to review a final decision by an institution concerning a violation of these provisions. Adds an alumnus appointment to the boards of trustees of certain institutions. Amends the appointment authority regarding alumni members to the boards of trustees of institutions. Provides that a board of trustees member who is a state employee is not entitled to per diem but is entitled to reimbursement for traveling expenses and other certain expenses. Removes and adds certain criteria requirements for members of boards of trustees of institutions. Requires each institution to submit certain information by September 1, 2024, and at the time the institution submits its legislative budget request.

**SB 202—LS 6786/DI 110**



Reprinted  
February 6, 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. 202

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A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

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

1           SECTION 1. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION  
2 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]: Sec. 2. The board of trustees is composed of **the following**  
4 nine (9) members:  
5           **(1) Seven (7) members** appointed by the governor as follows:  
6           ~~(1) (A) Six (6) members~~ who must be at large.  
7           ~~(2) Two (2) members~~ who must be alumni of Ball State  
8 University.  
9           ~~(3) (B) One (1) member~~ who must be a Ball State University  
10 student.  
11           **(2) Two (2) members appointed as follows:**  
12           **(A) One (1) member who:**  
13           **(i) is appointed by the president pro tempore of the**  
14           **senate with advice from the minority leader of the**  
15           **senate;**

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1 (ii) is an alumnus of Ball State University; and

2 (iii) is not a member of the general assembly.

3 (B) One (1) member who:

4 (i) is appointed by the speaker of the house of  
5 representatives with advice from the minority leader of  
6 the house of representatives;

7 (ii) is an alumnus of Ball State University; and

8 (iii) is not a member of the general assembly.

9 SECTION 2. IC 21-19-3-3, AS AMENDED BY P.L.29-2012,  
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2024]: Sec. 3. ~~Not more than six (6) of the nonstudent~~  
12 ~~members of~~ The board of trustees may be of **not consist of members**  
13 **who are all of** the same sex.

14 SECTION 3. IC 21-19-3-3.5 IS ADDED TO THE INDIANA CODE  
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
16 1, 2024]: **Sec. 3.5. One (1) member appointed by the governor**  
17 **under section 2(1) of this chapter must be a resident of Delaware**  
18 **County.**

19 SECTION 4. IC 21-19-3-6 IS REPEALED [EFFECTIVE JULY 1,  
20 2024]. Sec. 6: (a) The Ball State University alumni council shall  
21 designate the term and nominate a person for each of the two (2)  
22 alumni memberships on the board of trustees:

23 (b) The Ball State University alumni council, through the president  
24 of Ball State University, shall submit the names of the nominees to the  
25 governor for the governor's immediate appointment to the board of  
26 trustees:

27 SECTION 5. IC 21-19-3-7 IS REPEALED [EFFECTIVE JULY 1,  
28 2024]. Sec. 7: ~~At least thirty (30) days before the expiration of the term~~  
29 ~~of an alumni member, the Ball State University Alumni Council, or its~~  
30 ~~successor, must submit, through the president of Ball State University,~~  
31 ~~the name of the nominee to succeed the retiring alumni member. The~~  
32 ~~governor shall appoint the nominee as an alumni member of the board~~  
33 ~~of trustees:~~

34 SECTION 6. IC 21-19-3-8, AS ADDED BY P.L.2-2007, SECTION  
35 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
36 1, 2024]: Sec. 8. (a) ~~With the exception of the student member of the~~  
37 ~~board of trustees, Except as provided under subsections (c) and (d),~~  
38 all appointments to the Ball State University board of trustees are for  
39 four (4) year terms. **Except for appointments under section 2(2) of**  
40 **this chapter,** each term of a nonstudent board member begins on  
41 January 1 of the appropriate year.

42 (b) The term of a member continues until the member's successor is



1 appointed and qualified.

2 (c) The student member of the board of trustees is appointed for a  
3 two (2) year term. The student member's term begins on July 1 of the  
4 year in which the student member is appointed. The student member  
5 must be a full-time student at Ball State University throughout the  
6 student member's term.

7 **(d) The term of a member appointed under section 2(2) of this**  
8 **chapter shall expire on June 30 of each odd-numbered year.**

9 SECTION 7. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION  
10 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2024]: Sec. 9. A vacancy occurring on the board of trustees from  
12 death, incapacitation, or resignation shall be filled by appointment of  
13 the ~~governor~~ **appropriate appointing authority** for the unexpired  
14 term. ~~Vacancies in offices held by alumni members shall be filled from~~  
15 ~~nominees submitted by the Ball State University alumni council.~~

16 SECTION 8. IC 21-19-3-10 IS ADDED TO THE INDIANA CODE  
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
18 1, 2024]: Sec. 10. (a) **As used in this section "alumnus appointed**  
19 **member" refers to a current member of the board of trustees who**  
20 **was an alumnus appointment by the governor before July 1, 2024.**

21 (b) **An alumnus appointed member may serve until the**  
22 **member's term expires.**

23 (c) **Notwithstanding section 9 of this chapter, the president pro**  
24 **tempore of the senate shall appoint an alumnus member as**  
25 **provided under section 2(2)(A) of this chapter upon the earlier of:**

- 26 (1) **the expiration of an alumnus appointed member's term; or**  
27 (2) **a vacancy on the board of trustees by an alumnus**  
28 **appointed member.**

29 (d) **Notwithstanding section 9 of this chapter, after the president**  
30 **pro tempore of the senate appoints an alumnus member under**  
31 **subsection (c), the speaker of the house of representatives shall**  
32 **appoint an alumnus member as provided under section 2(2)(B) of**  
33 **this chapter upon the earlier of:**

- 34 (1) **the expiration of the remaining alumnus appointed**  
35 **member's term; or**  
36 (2) **a vacancy on the board of trustees by the remaining**  
37 **alumnus appointed member.**

38 (e) **This section expires July 1, 2029.**

39 SECTION 9. IC 21-20-3-3 IS REPEALED [EFFECTIVE UPON  
40 PASSAGE]. Sec. 3: This section does not apply to the student trustee  
41 appointed to the board of trustees. Not more than:

- 42 (†) **one (1) of the trustees elected to the board of trustees; and**



1           (2) two (2) of the trustees appointed to the board of trustees;  
2 may reside in the same county.

3           SECTION 10. IC 21-20-3-4, AS AMENDED BY P.L.29-2012,  
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 4. (a) ~~Three (3) members~~ **One (1) member** of  
6 the board of trustees shall be elected by the alumni of Indiana  
7 University under this chapter. In the year in which the term of ~~any the~~  
8 member of the board of trustees elected by the alumni expires, a  
9 successor to the trustee shall be elected by the alumni of Indiana  
10 University, to serve for a term of three (3) years beginning July 1 next  
11 succeeding the election.

12           (b) When a vacancy occurs ~~in the membership regarding the~~  
13 **member** of the board of trustees who ~~are is~~ elected by the alumni,  
14 because of death, resignation, or any other reason, the vacancy shall be  
15 filled by selection by the Indiana University alumni association  
16 executive council for the unexpired term.

17           SECTION 11. IC 21-20-3-5, AS ADDED BY P.L.2-2007,  
18 SECTION 261, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE UPON PASSAGE]: Sec. 5. The ~~members~~ **member** of the  
20 board of trustees who ~~are is~~ elected by the alumni of Indiana University  
21 must be ~~alumni~~ **an alumnus** of Indiana University.

22           SECTION 12. IC 21-20-3-8, AS AMENDED BY P.L.29-2012,  
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 UPON PASSAGE]: Sec. 8. The election of ~~members~~ **the member** of  
25 the board of trustees shall be held at Indiana University on the secular  
26 day immediately preceding July 1. At that time ~~trustees~~ **the trustee**  
27 shall be elected to:

28           (1) serve for a term of three (3) years from July 1 next succeeding  
29 the trustee's election; and

30           (2) complete any unexpired term or terms.

31           SECTION 13. IC 21-20-3-9, AS AMENDED BY P.L.29-2012,  
32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 UPON PASSAGE]: Sec. 9. The university librarian shall conduct the  
34 elections to select the ~~three (3) alumni members~~ **one (1) alumnus**  
35 **member** of the board of trustees **elected by the alumni of Indiana**  
36 **University**. All alumni (as described in section 6 of this chapter) are  
37 eligible to participate in the election either by electronic or printed  
38 ballot, and each eligible individual may cast only one (1) vote. A  
39 request for a printed ballot must be made in writing to the university  
40 librarian not later than May 1 of an election year. The university  
41 librarian may adopt rules and regulations as necessary to carry out this  
42 section.



1 SECTION 14. IC 21-20-3-12, AS AMENDED BY P.L.29-2012,  
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 UPON PASSAGE]: Sec. 12. (a) The governor shall appoint ~~five (5)~~ **six**  
 4 **(6)** members of the board of trustees, ~~for including the student~~  
 5 **member appointed under section 13 of this chapter.**

6 **(b) The president pro tempore of the senate with advice from**  
 7 **the minority leader of the senate shall appoint one (1) member of**  
 8 **the board of trustees who:**

9 **(1) is an alumnus of Indiana University; and**

10 **(2) is not a member of the general assembly.**

11 **(c) The speaker of the house of representatives with advice from**  
 12 **the minority leader of the house of representatives shall appoint**  
 13 **one (1) member of the board of trustees who:**

14 **(1) is an alumnus of Indiana University; and**

15 **(2) is not a member of the general assembly.**

16 **(d) Except as provided under section 13 of this chapter, the**  
 17 **members appointed under subsection (a) shall serve terms of three**  
 18 **(3) years.**

19 **(e) The term of a member appointed under subsection (b) or (c)**  
 20 **shall expire on June 30 of each odd-numbered year.**

21 ~~(b)~~ **(f) Whenever a vacancy occurs in the membership of the board**  
 22 **of trustees who are appointed by the governor, president pro tempore**  
 23 **of the senate, or speaker of the house of representatives because of**  
 24 **death or resignation or for any other reason, the vacancy shall be filled**  
 25 **by an appointment of the governor appropriate appointing authority**  
 26 **for the unexpired term.**

27 SECTION 15. IC 21-20-3-12.5 IS ADDED TO THE INDIANA  
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 29 [EFFECTIVE JULY 1, 2024]: **Sec. 12.5. The board of trustees may**  
 30 **not consist of members who are all of the same sex.**

31 SECTION 16. IC 21-20-3-12.7 IS ADDED TO THE INDIANA  
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2024]: **Sec. 12.7. One (1) member appointed**  
 34 **by the governor under section 12(a) of this chapter must be a**  
 35 **resident of Monroe County.**

36 SECTION 17. IC 21-20-3-17 IS ADDED TO THE INDIANA  
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 38 [EFFECTIVE UPON PASSAGE]: **Sec. 17. (a) As used in this section**  
 39 **"alumnus appointed member" refers to a current member of the**  
 40 **board of trustees who was an alumnus appointment by the**  
 41 **governor before July 1, 2024.**

42 **(b) An alumnus appointed member may serve until the**



- 1 member's term expires.
- 2 (c) Notwithstanding section 12(f) of this chapter, the speaker of
- 3 the house of representatives shall appoint an alumnus member as
- 4 provided under section 12(c) of this chapter upon the earlier of:
- 5 (1) the expiration of an alumnus appointed member's term; or
- 6 (2) a vacancy on the board of trustees by an alumnus
- 7 appointed member.
- 8 (d) Notwithstanding section 12(f) of this chapter, after the
- 9 speaker of the house of representatives appoints an alumnus
- 10 member under subsection (c), the president pro tempore of the
- 11 senate shall appoint an alumnus member as provided under section
- 12 12(b) of this chapter upon the earlier of:
- 13 (1) the expiration of the remaining alumnus appointed
- 14 member's term; or
- 15 (2) a vacancy on the board of trustees by the remaining
- 16 alumnus appointed member.
- 17 (e) This section expires July 1, 2029.
- 18 SECTION 18. IC 21-21-3-2, AS ADDED BY P.L.2-2007,
- 19 SECTION 262, IS AMENDED TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees is
- 21 composed of nine (9) trustees ~~appointed by the governor~~ as follows:
- 22 (1) Seven (7) competent individuals, one (1) of whom must be a
- 23 student, **appointed by the governor.**
- 24 ~~(2) Two (2) competent individuals who are alumni of Indiana~~
- 25 ~~State University nominated by the alumni council of Indiana State~~
- 26 ~~University.~~
- 27 (2) One (1) member who:
- 28 (A) is appointed by the president pro tempore of the senate
- 29 with advice from the minority leader of the senate;
- 30 (B) is an alumnus of Indiana State University; and
- 31 (C) is not a member of the general assembly.
- 32 (3) One (1) member who:
- 33 (A) is appointed by the speaker of the house of
- 34 representatives with advice from the minority leader of the
- 35 house of representatives;
- 36 (B) is an alumnus of Indiana State University; and
- 37 (C) is not a member of the general assembly.
- 38 SECTION 19. IC 21-21-3-2.5 IS ADDED TO THE INDIANA
- 39 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 40 [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may**
- 41 **not consist of trustees who are all of the same sex.**
- 42 SECTION 20. IC 21-21-3-2.7 IS ADDED TO THE INDIANA





1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2024]: **Sec. 2.7. One (1) member appointed**  
 3 **by the governor under section 2(1) of this chapter must be a**  
 4 **resident of Vigo County.**

5 SECTION 21. IC 21-21-3-3, AS ADDED BY P.L.2-2007,  
 6 SECTION 262, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) ~~Subject to subsection~~ **Except**  
 8 **as provided under subsections (b) and (c),** the term of a trustee is  
 9 four (4) years.

10 (b) The term of a student trustee is two (2) years.

11 (c) **The term of a member appointed under section 2(2) or 2(3)**  
 12 **of this chapter shall expire on June 30 of each odd-numbered year.**

13 SECTION 22. IC 21-21-3-6 IS REPEALED [EFFECTIVE JULY 1,  
 14 2024]. Sec. 6: ~~An alumni member appointed to the board of trustees~~  
 15 ~~must have completed a prescribed course of study by Indiana State~~  
 16 ~~University or one (1) of the following predecessors of Indiana State~~  
 17 ~~University:~~

18 (1) ~~Indiana State Normal School.~~

19 (2) ~~Indiana State Teachers College.~~

20 (3) ~~Indiana State College.~~

21 SECTION 23. IC 21-21-3-8 IS REPEALED [EFFECTIVE JULY 1,  
 22 2024]. Sec. 8: ~~At least one (1) woman must be on the board of trustees.~~

23 SECTION 24. IC 21-21-3-9, AS ADDED BY P.L.2-2007,  
 24 SECTION 262, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) ~~The governor~~ **appropriate**  
 26 **appointing authority** shall fill a vacancy occurring in the board of  
 27 trustees from death, resignation, or removal from the state for the  
 28 unexpired term of the retiring trustee.

29 (b) ~~The alumni council of Indiana State University shall nominate~~  
 30 ~~the appointee to fill a vacancy caused by the loss of an alumni member.~~

31 SECTION 25. IC 21-21-3-10 IS ADDED TO THE INDIANA  
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2024]: **Sec. 10. (a) As used in this section**  
 34 **"alumnus appointed member" refers to a current member of the**  
 35 **board of trustees who was an alumnus appointment by the**  
 36 **governor before July 1, 2024.**

37 (b) **An alumnus appointed member may serve until the**  
 38 **member's term expires.**

39 (c) **Notwithstanding section 9 of this chapter, the speaker of the**  
 40 **house of representatives shall appoint an alumnus member as**  
 41 **provided under section 2(3) of this chapter upon the earlier of:**

42 (1) **the expiration of an alumnus appointed member's term; or**



- 1           (2) a vacancy on the board of trustees by an alumnus  
2           appointed member.
- 3           (d) Notwithstanding section 9 of this chapter, after the speaker  
4 of the house of representatives appoints an alumnus member under  
5 subsection (c), the president pro tempore of the senate shall  
6 appoint an alumnus member as provided under section 2(2) of this  
7 chapter upon the earlier of:
- 8           (1) the expiration of the remaining alumnus appointed  
9           member's term; or
- 10           (2) a vacancy on the board of trustees by the remaining  
11           alumnus appointed member.
- 12           (e) This section expires July 1, 2029.
- 13           SECTION 26. IC 21-22-3-3.5 IS ADDED TO THE INDIANA  
14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2024]: **Sec. 3.5. The state board of trustees**  
16 **may not consist of members who are all of the same sex.**
- 17           SECTION 27. IC 21-23-3-1, AS ADDED BY P.L.2-2007,  
18 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE UPON PASSAGE]: Sec. 1. The board of trustees  
20 consists of ten (10)members, to be appointed for the term of service  
21 and in the manner provided by this chapter. **Except as provided under**  
22 **section 7(c) of this chapter**, the terms of all trustees terminate on July  
23 1 of the year in which their terms of office expire.
- 24           SECTION 28. IC 21-23-3-2, AS AMENDED BY P.L.213-2015,  
25 SECTION 237, IS AMENDED TO READ AS FOLLOWS  
26 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The governor shall  
27 appoint ~~ten (10)~~ **eight (8)** trustees for Purdue University for the term  
28 beginning on July 1 in conformity with this chapter.
- 29           (b) The general assembly urges the governor to appoint at least one  
30 (1) resident of Allen County to the board of trustees of Purdue  
31 University.
- 32           (c) **The president pro tempore of the senate with advice from the**  
33 **minority leader of the senate shall appoint one (1) trustee who:**
- 34           (1) is an alumnus of Purdue University; and  
35           (2) is not a member of the general assembly.
- 36           (d) **The speaker of the house of representatives with advice from**  
37 **the minority leader of the house of representatives shall appoint**  
38 **one (1) trustee who:**
- 39           (1) is an alumnus of Purdue University; and  
40           (2) is not a member of the general assembly.
- 41           SECTION 29. IC 21-23-3-2.5 IS ADDED TO THE INDIANA  
42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may**  
 2 **not consist of members who are all of the same sex.**

3 SECTION 30. IC 21-23-3-2.7 IS ADDED TO THE INDIANA  
 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 5 [EFFECTIVE JULY 1, 2024]: **Sec. 2.7. One (1) member appointed**  
 6 **by the governor under section 2(a) of this chapter must be a**  
 7 **resident of Tippecanoe County.**

8 SECTION 31. IC 21-23-3-3, AS ADDED BY P.L.2-2007,  
 9 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) ~~Three (3) members~~ **One**  
 11 **(1) member** of the board of trustees shall be selected by the members  
 12 of the Purdue alumni association. ~~One (1) of the members~~ **The**  
 13 **member** must be a graduate of the school of agriculture. ~~All members~~  
 14 **The member** of the board of trustees selected under this section must  
 15 be ~~members a member~~ of the alumni association and graduates of  
 16 Purdue University.

17 (b) At the annual meeting of the Purdue alumni association for the  
 18 year in which the term of office of ~~any one (1) of the trustees~~ **the**  
 19 **trustee** selected under this section expires, a successor shall be  
 20 selected by the members of the Purdue alumni association, in the  
 21 manner that the Purdue alumni association prescribes. The president of  
 22 the Purdue alumni association shall certify all selections made by the  
 23 Purdue alumni association.

24 (c) If, at any time, a vacancy occurs on the board of trustees,  
 25 occasioned by the death, resignation, expiration of term, or otherwise  
 26 of ~~any of the members~~ **the member** of the board of trustees selected by  
 27 the members of the Purdue alumni association, the vacancy shall be  
 28 filled by selection by the president of the Purdue alumni association.  
 29 The member selected to fill a vacancy serves until the next annual  
 30 meeting of the Purdue alumni association when a successor to fill out  
 31 the unexpired term shall be selected in the manner provided in  
 32 subsection (b). The member selected by the Purdue alumni association  
 33 shall be appointed by the governor to fill out the unexpired term.

34 SECTION 32. IC 21-23-3-4 IS REPEALED [EFFECTIVE UPON  
 35 PASSAGE]. ~~Sec. 4. Seven (7) of the trustees shall be appointed by the~~  
 36 ~~governor.~~

37 SECTION 33. IC 21-23-3-7, AS ADDED BY P.L.2-2007,  
 38 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a) Except as provided in**  
 40 **subsections (b) and (c),** all members of the board of trustees serve for  
 41 three (3) years. ~~except for~~

42 **(b)** The student member ~~who~~ serves for two (2) years.



1           **(c) The term of a member appointed under section 2(c) or 2(d)**  
 2 **of this chapter shall expire on June 30 of each odd-numbered year.**

3           SECTION 34. IC 21-23-3-8, AS ADDED BY P.L.2-2007,  
 4 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
 5 [EFFECTIVE UPON PASSAGE]: Sec. 8. In case any vacancy occurs  
 6 on the board of trustees by reason of the resignation, removal from the  
 7 state, expiration of the term of office, or otherwise of any of the trustees  
 8 appointed by the ~~governor~~, **appropriate appointing authority**, the  
 9 vacancy shall be filled by the ~~governor~~ **appropriate appointing**  
 10 **authority** from the respective classes as provided in this section to  
 11 serve only for the unexpired term.

12           SECTION 35. IC 21-23-3-9, AS ADDED BY P.L.2-2007,  
 13 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a)** The acceptance of an  
 15 appointment by the governor, **president pro tempore of the senate, or**  
 16 **speaker of the house of representatives** signifies that the appointee  
 17 will give the appointee's best efforts to the interests of Purdue  
 18 University and that the appointee will regularly attend the meetings of  
 19 the board of trustees.

20           **(b)** The secretary of the board of trustees shall report the attendance  
 21 of each meeting of the board of trustees to the governor, **president pro**  
 22 **tempore of the senate, or speaker of the house of representatives**  
 23 **regarding the respective members appointed by the governor,**  
 24 **president pro tempore of the senate, or speaker of the house of**  
 25 **representatives.** If a member is absent for two (2) consecutive  
 26 meetings without sufficient excuse, it shall be considered sufficient  
 27 cause for the governor, **president pro tempore of the senate, or**  
 28 **speaker of the house of representatives** to ask for the resignation of  
 29 the member **whom the governor, president pro tempore of the**  
 30 **senate, or speaker of the house of representatives appointed.**

31           SECTION 36. IC 21-23-3-10 IS ADDED TO THE INDIANA  
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 33 [EFFECTIVE UPON PASSAGE]: Sec. 10. **(a)** As used in this section  
 34 **"alumnus appointed member"** refers to a current member of the  
 35 board of trustees who was an alumnus appointment by the  
 36 governor before July 1, 2024.

37           **(b)** An alumnus appointed member may serve until the  
 38 member's term expires.

39           **(c)** Notwithstanding section 8 of this chapter, the president pro  
 40 tempore of the senate shall appoint an alumnus member as  
 41 provided under section 2(c) of this chapter upon the earlier of:

42           **(1)** the expiration of an alumnus appointed member's term; or



1 (2) a vacancy on the board of trustees by an alumnus  
2 appointed member.

3 (d) Notwithstanding section 8 of this chapter, after the president  
4 pro tempore of the senate appoints an alumnus member under  
5 subsection (c), the speaker of the house of representatives shall  
6 appoint an alumnus member as provided under section 2(d) of this  
7 chapter upon the earlier of:

8 (1) the expiration of the remaining alumnus appointed  
9 member's term; or

10 (2) a vacancy on the board of trustees by the remaining  
11 alumnus appointed member.

12 (e) This section expires July 1, 2029.

13 SECTION 37. IC 21-24-3-2, AS ADDED BY P.L.2-2007,  
14 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The board of trustees consists  
16 of ~~nine (9)~~ **ten (10)** members who shall, **except as provided under**  
17 **subsections (b) and (c)**, serve terms of four (4) years. ~~However,~~

18 (b) The term of a student member of the board of trustees is two (2)  
19 years.

20 (c) **The term of a member appointed under section 5(b) or 5(c)**  
21 **of this chapter shall expire on June 30 of each odd-numbered year.**

22 SECTION 38. IC 21-24-3-2.5 IS ADDED TO THE INDIANA  
23 CODE AS A NEW SECTION TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may**  
25 **not consist of members who are all of the same sex.**

26 SECTION 39. IC 21-24-3-4, AS ADDED BY P.L.2-2007,  
27 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2024]: Sec. 4. The **members of the** board of  
29 trustees **appointed by the governor** must include at least the  
30 following:

31 ~~(1) One (1) member who is an alumnus of the University of~~  
32 ~~Southern Indiana or an alumnus of the regional campus.~~

33 ~~(2) (1) One (1) member who is a full-time student in good~~  
34 ~~standing enrolled in the University of Southern Indiana.~~

35 ~~(3) (2) One (1) member who is a resident of Vanderburgh County.~~

36 SECTION 40. IC 21-24-3-5, AS ADDED BY P.L.2-2007,  
37 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
38 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint  
39 **eight (8)** of the members of the board of trustees.

40 (b) **The president pro tempore of the senate with advice from**  
41 **the minority leader of the senate shall appoint one (1) member to**  
42 **the board of trustees who:**



1 (1) is an alumnus of the University of Southern Indiana; and

2 (2) is not a member of the general assembly.

3 (c) The speaker of the house of representatives with advice from  
4 the minority leader of the house of representatives shall appoint  
5 one (1) member of the board of trustees who:

6 (1) is an alumnus of the University of Southern Indiana; and

7 (2) is not a member of the general assembly.

8 (b) (d) If a vacancy occurs during the term of any member, the  
9 governor appropriate appointing authority shall appoint an  
10 individual to serve the unexpired term of the vacating member.

11 SECTION 41. IC 21-24-3-6 IS REPEALED [EFFECTIVE JULY 1,  
12 2024]. Sec. 6. (a) There is established a screening committee of the  
13 University of Southern Indiana to nominate the alumnus member of the  
14 board of trustees:

15 (b) The screening committee consists of five (5) members appointed  
16 by the executive body of the university alumni association designated  
17 by the board of trustees:

18 (c) Within seventy-five (75) days after the date that a vacancy  
19 occurs on the board of trustees for the alumnus member, the screening  
20 committee shall submit a list of at least three (3) names of eligible  
21 individuals to a person designated by the board of trustees:

22 (d) When the names are received by the person designated by the  
23 board of trustees, the designated person shall submit the names to the  
24 governor:

25 (e) The governor shall appoint the alumnus member of the board of  
26 trustees from the list of names submitted under subsection (d).  
27 However, if the governor does not receive the names of at least three  
28 (3) eligible individuals under subsection (d) within ninety (90) days  
29 after the alumnus member vacancy on the board occurs, the governor  
30 may appoint any individual who is otherwise eligible under this chapter  
31 to serve as the alumnus member of the board of trustees:

32 SECTION 42. IC 21-24-3-8 IS ADDED TO THE INDIANA CODE  
33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
34 1, 2024]: Sec. 8. (a) As used in this section "alumnus appointed  
35 member" refers to a current member of the board of trustees who  
36 was an alumnus appointment by the governor before July 1, 2024.

37 (b) An alumnus appointed member may serve until the  
38 member's term expires.

39 (c) The president pro tempore of the senate shall, not later than  
40 July 1, 2024, appoint an alumnus member under section 5(b) of this  
41 chapter.

42 (d) Notwithstanding section 5 of this chapter, the speaker of the



1 house of representative shall appoint an alumnus member as  
 2 provided under section 5(c) of this chapter upon the earlier of:

- 3 (1) the expiration of the alumnus appointed member's term;  
 4 or  
 5 (2) a vacancy on the board of trustees by the alumnus  
 6 appointed member.

7 (e) This section expires July 1, 2029.

8 SECTION 43. IC 21-25-3-1, AS ADDED BY P.L.2-2007,  
 9 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of  
 11 ~~ten (10)~~ **eleven (11)** trustees.

12 SECTION 44. IC 21-25-3-2, AS ADDED BY P.L.2-2007,  
 13 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) ~~Nine (9)~~ **Eight (8)** members  
 15 of the board of trustees shall be appointed by the governor, one (1) of  
 16 whom must be a resident of Knox County. ~~and one (1) must be an~~  
 17 ~~alumnus of Vincennes University.~~ In addition, the governor shall  
 18 appoint one (1) trustee who is a full-time student of Vincennes  
 19 University during the student's term.

20 (b) **The president pro tempore of the senate with advice from**  
 21 **the minority leader of the senate shall appoint one (1) member to**  
 22 **the board of trustees who:**

- 23 (1) is an alumnus of Vincennes University; and  
 24 (2) is not a member of the general assembly.

25 (c) **The speaker of the house of representatives with advice from**  
 26 **the minority leader of the house of representatives shall appoint**  
 27 **one (1) member of the board of trustees who:**

- 28 (1) is an alumnus of Vincennes University; and  
 29 (2) is not a member of the general assembly.

30 SECTION 45. IC 21-25-3-2.5 IS ADDED TO THE INDIANA  
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may**  
 33 **not consist of members who are all of the same sex.**

34 SECTION 46. IC 21-25-3-4, AS ADDED BY P.L.2-2007,  
 35 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) **Except as provided under**  
 37 **subsections (b) and (c), the term of each appointed trustee is three (3)**  
 38 **years. However;**

39 (b) The term of the student appointee is one (1) year.

40 (c) **The term of a member appointed under section 2(b) or 2(c)**  
 41 **of this chapter shall expire on June 30 of each odd-numbered year.**

42 SECTION 47. IC 21-25-3-5, AS ADDED BY P.L.2-2007,



1 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2024]: Sec. 5. **(a) Except as provided under**  
 3 **subsection (b)**, if a vacancy occurs in the membership of the board of  
 4 trustees, the vacancy shall be filled by the board of trustees for the  
 5 unexpired term.

6 **(b) If a vacancy occurs among the members of the board of**  
 7 **trustees appointed under section 2(b) or 2(c) of this chapter, the**  
 8 **appropriate appointing authority shall fill the vacancy on the**  
 9 **board of trustees.**

10 SECTION 48. IC 21-25-3-6, AS ADDED BY P.L.2-2007,  
 11 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 12 [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except for a member who is**  
 13 **appointed under section 2(b) or 2(c) of this chapter**, the appropriate  
 14 number of appointive trustees shall be appointed before the first  
 15 Monday of October of each year. **Except for a member appointed**  
 16 **under section 2(b) or 2(c) of this chapter**, the first Monday is the first  
 17 day of their terms.

18 SECTION 49. IC 21-25-3-7, AS ADDED BY P.L.2-2007,  
 19 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2024]: Sec. 7. There shall be the following four  
 21 (4) **ex officio** members of the board of trustees **who are nonvoting**  
 22 **advisory members:**

- 23 (1) The president of the university.
- 24 (2) The superintendent of the Vincennes Community School  
 25 Corporation.
- 26 (3) The superintendent of the South Knox School Corporation.
- 27 (4) The superintendent of the North Knox School Corporation.

28 SECTION 50. IC 21-25-3-9 IS ADDED TO THE INDIANA CODE  
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 30 1, 2024]: Sec. 9. **(a) As used in this section "alumnus appointed**  
 31 **member" refers to a current member of the board of trustees who**  
 32 **was an alumnus appointment by the governor before July 1, 2024.**

33 **(b) An alumnus appointed member may serve until the**  
 34 **member's term expires.**

35 **(c) The speaker of the house of representatives shall, not later**  
 36 **than July 1, 2024, appoint an alumnus member under section 2(c)**  
 37 **of this chapter.**

38 **(d) Notwithstanding section 5 of this chapter, the president pro**  
 39 **tempore of the senate shall appoint an alumnus member as**  
 40 **provided under section 2(b) of this chapter upon the earlier of:**

- 41 (1) the expiration of the alumnus appointed member's term;
- 42 or





1           **(2) a vacancy on the board of trustees by the alumnus**  
2           **appointed member.**

3           **(e) This section expires July 1, 2029.**

4           SECTION 51. IC 21-25-5-3, AS ADDED BY P.L.2-2007,  
5           SECTION 266, IS AMENDED TO READ AS FOLLOWS  
6           [EFFECTIVE JULY 1, 2024]: Sec. 3. Six (6) trustees **appointed under**  
7           **IC 21-25-3-2** constitute a quorum at any regular or special meeting of  
8           the board of trustees.

9           SECTION 52. IC 21-27-3-5, AS ADDED BY P.L.167-2007,  
10          SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11          JULY 1, 2024]: Sec. 5. (a) The board of trustees shall create a diversity  
12          committee to do the following:

13               (1) Review and recommend faculty employment policies  
14               concerning **cultural and intellectual** diversity issues.

15               (2) Review faculty and administration personnel complaints  
16               concerning **cultural and intellectual** diversity issues.

17               (3) Make recommendations to promote and maintain **cultural and**  
18               **intellectual** diversity among faculty members.

19               (4) Make recommendations to promote recruitment and retention  
20               of **minority underrepresented** students.

21               (b) The diversity committee shall issue an annual report stating the  
22               findings, conclusions, and recommendations of the committee to the  
23               board of trustees.

24          SECTION 53. IC 21-27-4-4, AS ADDED BY P.L.167-2007,  
25          SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26          JULY 1, 2024]: Sec. 4. (a) The board of trustees shall create a diversity  
27          committee at the home campus and at each regional campus to do the  
28          following:

29               (1) Review and recommend faculty employment policies  
30               concerning **cultural and intellectual** diversity issues.

31               (2) Review faculty and administration personnel complaints  
32               concerning **cultural and intellectual** diversity issues.

33               (3) Make recommendations to promote and maintain **cultural and**  
34               **intellectual** diversity among faculty members.

35               (4) Make recommendations to promote recruitment and retention  
36               of **minority underrepresented** students.

37               (b) The diversity committee shall issue an annual report stating the  
38               findings, conclusions, and recommendations of the committee to the  
39               board of trustees.

40          SECTION 54. IC 21-27-5-4, AS ADDED BY P.L.167-2007,  
41          SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42          JULY 1, 2024]: Sec. 4. (a) The board of trustees shall create a diversity



- 1 committee to do the following:
- 2 (1) Review and recommend faculty employment policies
- 3 concerning **cultural and intellectual** diversity issues.
- 4 (2) Review faculty and administration personnel complaints
- 5 concerning **cultural and intellectual** diversity issues.
- 6 (3) Make recommendations to promote and maintain **cultural and**
- 7 **intellectual** diversity among faculty members.
- 8 (4) Make recommendations to promote recruitment and retention
- 9 of **minority underrepresented** students.
- 10 (b) The diversity committee shall issue an annual report stating the
- 11 findings, conclusions, and recommendations of the committee to the
- 12 board of trustees.
- 13 SECTION 55. IC 21-27-6-7, AS AMENDED BY P.L.174-2018,
- 14 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2024]: Sec. 7. (a) The board of trustees shall create a diversity
- 16 committee at the home campus and at each campus to do the following:
- 17 (1) Review and recommend faculty employment policies
- 18 concerning **cultural and intellectual** diversity issues.
- 19 (2) Review faculty and administration personnel complaints
- 20 concerning **cultural and intellectual** diversity issues.
- 21 (3) Make recommendations to promote and maintain **cultural and**
- 22 **intellectual** diversity among faculty members.
- 23 (4) Make recommendations to promote recruitment and retention
- 24 of **minority underrepresented** students.
- 25 (b) The diversity committee shall issue an annual report stating the
- 26 findings, conclusions, and recommendations of the committee to the
- 27 state board.
- 28 SECTION 56. IC 21-27-7-6, AS ADDED BY P.L.167-2007,
- 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2024]: Sec. 6. (a) The board of trustees shall create a diversity
- 31 committee at the home campus and at each regional campus to do the
- 32 following:
- 33 (1) Review and recommend faculty employment policies
- 34 concerning **cultural and intellectual** diversity issues.
- 35 (2) Review faculty and administration personnel complaints
- 36 concerning **cultural and intellectual** diversity issues.
- 37 (3) Make recommendations to promote and maintain **cultural and**
- 38 **intellectual** diversity among faculty members.
- 39 (4) Make recommendations to promote recruitment and retention
- 40 of **minority underrepresented** students.
- 41 (b) The diversity committee shall issue an annual report stating the
- 42 findings, conclusions, and recommendations of the committee to the



- 1 board of trustees.
- 2 SECTION 57. IC 21-27-8-7, AS ADDED BY P.L.167-2007,  
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 7. (a) The board shall create a diversity committee  
5 to do the following:
- 6 (1) Review and recommend faculty employment policies  
7 concerning **cultural and intellectual** diversity issues.
  - 8 (2) Review faculty and administration personnel complaints  
9 concerning **cultural and intellectual** diversity issues.
  - 10 (3) Make recommendations to promote and maintain **cultural and**  
11 **intellectual** diversity among faculty members.
  - 12 (4) Make recommendations to promote recruitment and retention  
13 of **minority underrepresented** students.
- 14 (b) The diversity committee shall issue an annual report stating the  
15 findings, conclusions, and recommendations of the committee to the  
16 board.
- 17 SECTION 58. IC 21-27-9-6, AS ADDED BY P.L.167-2007,  
18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2024]: Sec. 6. (a) The board of trustees shall create a diversity  
20 committee at the home campus and at each regional campus to do the  
21 following:
- 22 (1) Review and recommend faculty employment policies  
23 concerning **cultural and intellectual** diversity issues.
  - 24 (2) Review faculty and administration personnel complaints  
25 concerning **cultural and intellectual** diversity issues.
  - 26 (3) Make recommendations to promote and maintain **cultural and**  
27 **intellectual** diversity among faculty members.
  - 28 (4) Make recommendations to promote recruitment and retention  
29 of **minority underrepresented** students.
- 30 (b) The diversity committee shall issue an annual report stating the  
31 findings, conclusions, and recommendations of the committee to the  
32 board of trustees.
- 33 SECTION 59. IC 21-38-2-1, AS ADDED BY P.L.2-2007,  
34 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section applies to the  
36 boards of trustees of the following state educational institutions:
- 37 (1) Indiana University.
  - 38 (2) Purdue University.
  - 39 (3) Indiana State University.
  - 40 (4) Ball State University.
- 41 (b) **Except as provided in section 7 of this chapter**, each member  
42 of the board of trustees of a state educational institution is entitled to



1 the minimum salary per diem provided by IC 4-10-11-2.1(b). The  
 2 member is also entitled to reimbursement for traveling expenses as  
 3 provided under IC 4-13-1-4 and other expenses actually incurred in  
 4 connection with the member's duties as provided in the state policies  
 5 and procedures established by the Indiana department of administration  
 6 and approved by the budget agency.

7 SECTION 60. IC 21-38-2-3, AS AMENDED BY P.L.3-2008,  
 8 SECTION 145, IS AMENDED TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) **Except as provided in**  
 10 **section 7 of this chapter**, a member of the board of trustees of Ivy  
 11 Tech Community College is entitled to the minimum salary per diem  
 12 provided by IC 4-10-11-2.1(b), unless the member holds another  
 13 position that is considered a lucrative office within the meaning of  
 14 Article 2, Section 9 of the Constitution of the State of Indiana.

15 (b) A member of the board of trustees of Ivy Tech Community  
 16 College is entitled to reimbursement for travel expenses and other  
 17 expenses actually incurred in connection with the member's duties as  
 18 provided in the state policies and procedures established by the Indiana  
 19 department of administration and approved by the budget agency.

20 SECTION 61. IC 21-38-2-5, AS ADDED BY P.L.2-2007,  
 21 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2024]: Sec. 5. **Except as provided in section**  
 23 **7 of this chapter**, each member of the board of trustees of the  
 24 University of Southern Indiana is entitled to the minimum salary per  
 25 diem provided by IC 4-10-11-2.1(b). Each member is also entitled to  
 26 reimbursement for traveling expenses and other expenses actually  
 27 incurred in connection with the member's duties, as provided in the  
 28 state travel policies and procedures established by the department of  
 29 administration and approved by the budget agency.

30 SECTION 62. IC 21-38-2-6, AS ADDED BY P.L.2-2007,  
 31 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except as provided in section**  
 33 **7 of this chapter**, the members of the board of trustees of Vincennes  
 34 University shall serve without compensation, except that each member  
 35 is entitled to the salary per diem as provided by IC 4-10-11-2.1 and to  
 36 reimbursement for travel, lodging, meals, and other expenses as  
 37 provided in the state travel policies and procedures established by the  
 38 Indiana department of administration and approved by the budget  
 39 agency.

40 SECTION 63. IC 21-38-2-7 IS ADDED TO THE INDIANA CODE  
 41 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
 42 1, 2024]: Sec. 7. **Any member of a board of trustees of a state**



1 **educational institution who is a state employee:**  
2 **(1) is not entitled to a minimum salary per diem provided by**  
3 **IC 4-10-11-2.1; and**  
4 **(2) is entitled to reimbursement for traveling expenses as**  
5 **provided under IC 4-13-1-4 and other expenses actually**  
6 **incurred in connection with the member's duties as provided**  
7 **in the state policies and procedures established by the Indiana**  
8 **department of administration and approved by the budget**  
9 **agency.**

10 SECTION 64. IC 21-38-10 IS ADDED TO THE INDIANA CODE  
11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2024]:

13 **Chapter 10. Diversity Programming**

14 **Sec. 1. A state educational institution that establishes, supports,**  
15 **sustains, or employs an office or individual whose primary duties**  
16 **include coordinating, creating, developing, designing,**  
17 **implementing, organizing, planning, or promoting noncredit**  
18 **earning diversity programming shall include within the mission of**  
19 **the office or position programming that substantially promotes**  
20 **both cultural and intellectual diversity.**

21 SECTION 65. IC 21-39-8-12, AS ADDED BY P.L.145-2022,  
22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2024]: Sec. 12. A state educational institution shall:

24 (1) create student protected expressive activity policies that are  
25 consistent with this chapter;

26 **(2) create a policy that includes a range of disciplinary actions**  
27 **with regard to an employee, student, student organization, or**  
28 **contractor of the state educational institution that materially**  
29 **and substantially disrupts the protected expressive activity of**  
30 **another employee, student, student organization, or**  
31 **contractor of the state educational institution;**

32 ~~(2) (3)~~ **(3) make protected expressive activity policies created under**  
33 **subdivisions (1) and (2) public in the state educational**  
34 **institution's handbooks, on the state educational institution's**  
35 **Internet web site, website, and at the state educational institution's**  
36 **student orientation programs; and**

37 ~~(3) (4)~~ **(4) develop materials, programs, and procedures to ensure that**  
38 **individuals who are responsible for disciplining and educating**  
39 **students, including administrators, campus police officers,**  
40 **residence life officials, and professors, understand the policies,**  
41 **regulations, and duties of the state educational institution**  
42 **regarding protected expressive activity on campus.**



1 SECTION 66. IC 21-39.5 IS ADDED TO THE INDIANA CODE  
 2 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2024]:

4 **ARTICLE 39.5. STATE EDUCATIONAL INSTITUTIONS:  
 5 THE PROTECTION OF FREE INQUIRY, FREE EXPRESSION,  
 6 AND INTELLECTUAL DIVERSITY**

7 **Chapter 1. Definitions**

8 **Sec. 1. The definitions in this chapter apply throughout this  
 9 article.**

10 **Sec. 2. "Board of trustees" refers to the board of trustees of  
 11 each of the following:**

- 12 (1) Ball State University.
- 13 (2) Indiana State University.
- 14 (3) Indiana University.
- 15 (4) Ivy Tech Community College.
- 16 (5) Purdue University.
- 17 (6) University of Southern Indiana.
- 18 (7) Vincennes University.

19 **Sec. 3. "Faculty member" means an employee of an institution  
 20 whose employment duties include teaching or mentoring students  
 21 of the institution.**

22 **Sec. 4. "Institution" refers to a state educational institution.**

23 **Sec. 5. "Intellectual diversity" means multiple, divergent, and  
 24 varied scholarly perspectives on an extensive range of public policy  
 25 issues.**

26 **Sec. 6. "Promotion" means the advancement of a faculty  
 27 member's employment position to a higher rank, level, or  
 28 distinction within an institution.**

29 **Sec. 7. "Tenure" means a status of continuous employment  
 30 granted to a faculty member of an institution in which the faculty  
 31 member may not be dismissed except for good cause or in  
 32 accordance with one (1) or more of the following:**

- 33 (1) The policies and procedures adopted by the institution.
- 34 (2) An employment agreement entered into between the  
 35 institution and faculty member.

36 **Chapter 2. Tenure, Promotion, Employment, Complaints, and  
 37 Disciplinary Actions**

38 **Sec. 1. (a) This section applies to an institution that grants  
 39 tenure or promotions to faculty members.**

40 **(b) Each board of trustees of an institution shall establish a  
 41 policy that provides that a faculty member may not be granted  
 42 tenure or a promotion by the institution if, based on past**



1 performance or other determination by the board of trustees, the  
2 faculty member is:

3 (1) unlikely to foster a culture of free inquiry, free expression,  
4 and intellectual diversity within the institution;

5 (2) unlikely to expose students to scholarly works from a  
6 variety of political or ideological frameworks that may exist  
7 within and are applicable to the faculty member's academic  
8 discipline; or

9 (3) likely, while performing teaching or mentoring duties  
10 within the scope of the faculty member's employment, to  
11 subject students to political or ideological views and opinions  
12 that are unrelated to the faculty member's academic  
13 discipline or assigned course of instruction.

14 Sec. 2. (a) Not later than five (5) years after the date that a  
15 faculty member is granted tenure by an institution and not later  
16 than every five (5) years thereafter, the board of trustees of an  
17 institution shall review and determine whether the faculty member  
18 has:

19 (1) helped the institution foster a culture of free inquiry, free  
20 expression, and intellectual diversity within the institution;

21 (2) introduced students to scholarly works from a variety of  
22 political or ideological frameworks that may exist within the  
23 faculty member's academic discipline or within courses the  
24 faculty member has taught;

25 (3) while performing teaching or mentoring duties within the  
26 scope of the faculty member's employment, refrained from  
27 subjecting students to views and opinions concerning matters  
28 not related to the faculty member's academic discipline or  
29 assigned course of instruction;

30 (4) adequately performed academic duties and obligations;  
31 and

32 (5) met any other criteria established by the board of trustees.

33 (b) If the board of trustees of an institution reviews and makes  
34 a determination that a faculty member meets the criteria under  
35 subsection (a), the board of trustees shall certify that the board  
36 reviewed and made a determination that the faculty member met  
37 the criteria.

38 (c) In determining whether a faculty member has adequately  
39 performed academic duties and obligations under subsection (a)(4),  
40 the board of trustees of an institution may not consider the  
41 following actions by a faculty member:

42 (1) Expressing dissent or engaging in research or public



- 1 commentary on subjects.
- 2 (2) Criticizing the institution's leadership.
- 3 (3) Engaging in any political activity conducted outside the
- 4 faculty member's teaching or mentoring duties at the
- 5 institution.
- 6 (d) The institution shall adopt a policy that establishes
- 7 disciplinary actions, including:
- 8 (1) termination;
- 9 (2) demotion;
- 10 (3) salary reduction;
- 11 (4) other disciplinary action as determined by the institution;
- 12 or
- 13 (5) any combination of subdivisions (1) through (4);
- 14 that the institution will take if the board of trustees determines in
- 15 a review conducted under subsection (a) that a tenured faculty
- 16 member has failed to meet one (1) or more of the criteria described
- 17 in subsection (a)(1) through (a)(5).
- 18 (e) The board of trustees of each institution shall, at least every
- 19 five (5) years, review and renew or amend:
- 20 (1) the process for reviewing and making a determination
- 21 under subsection (a); and
- 22 (2) any criteria established under subsection (a)(5).
- 23 Sec. 3. (a) This section applies to the following:
- 24 (1) A faculty member.
- 25 (2) A person with whom the institution contracts to teach or
- 26 mentor a student of the institution.
- 27 (b) Before an institution:
- 28 (1) renews an employment agreement or other contract with;
- 29 (2) makes a bonus decision regarding; or
- 30 (3) completes a review or performance assessment of;
- 31 a faculty member or person described in subsection (a), the
- 32 institution shall give substantial consideration to the faculty
- 33 member's or person's performance regarding the criteria
- 34 described in section 2(a)(1) through 2(a)(5) of this chapter.
- 35 Sec. 4. (a) Each institution shall do the following:
- 36 (1) Establish a procedure that allows both students and
- 37 employees to submit complaints that a faculty member or
- 38 person described in section 3(a) of this chapter is not meeting
- 39 the criteria described in section 2(a)(1) through 2(a)(5) of this
- 40 chapter.
- 41 (2) Provide information regarding the procedure established
- 42 under subdivision (1):





- 1           (A) at student orientations;  
 2           (B) on the institution's website; and  
 3           (C) during employee onboarding programs.
- 4           (3) Refer complaints submitted under subdivision (1) to  
 5 appropriate human resource professionals and supervisors  
 6 for consideration in employee reviews and tenure and  
 7 promotion decisions.
- 8           (4) Make complaints submitted under subdivision (1) and any  
 9 relevant documents, summaries, or investigations available to  
 10 the board of trustees of the institution.
- 11           (5) Not later than April 1, 2025, and not later than April 1  
 12 each year thereafter, submit a report to the commission for  
 13 higher education that summarizes the following:
- 14           (A) The procedure that the institution established under  
 15 subdivision (1) for the submission of complaints.
- 16           (B) How and when the institution has provided or made  
 17 available the information concerning the submission of  
 18 complaints procedure to students, faculty members, other  
 19 employees, and contractors of the institution.
- 20           (C) The number of complaints submitted, disaggregated by  
 21 a brief description of the types or categories of complaints  
 22 submitted, during the previous calendar year.
- 23           (b) The commission for higher education shall do the following:
- 24           (1) Prepare a report that provides the following information:
- 25           (A) The total number of complaint submissions that each  
 26 institution received as provided by the institution under  
 27 subsection (a)(5).
- 28           (B) The number of complaint submissions as described in  
 29 clause (A), disaggregated by a brief description of the types  
 30 or categories of complaints submitted.
- 31           (2) Not later than July 1, 2025, and not later than July 1 of  
 32 each odd-numbered year thereafter, submit the report  
 33 described in subdivision (1) to the following:
- 34           (A) The legislative council in an electronic format under  
 35 IC 5-14-6.
- 36           (B) The budget committee.
- 37           (c) An institution and the commission for higher education may  
 38 not include information in a report submitted under this section  
 39 that identifies the following:
- 40           (1) A student or employee who submits a complaint under this  
 41 section.
- 42           (2) A faculty member or person described in section 3(a)(2) of



1           this chapter against whom a complaint was submitted.

2           **Sec. 5. If an institution is unable to fully comply with this**

3 **chapter due to an employment agreement entered into with a**

4 **faculty member or person described in section 3(a) of this chapter**

5 **before July 1, 2024, the institution shall attempt to comply with this**

6 **chapter to the extent possible under the employment agreement**

7 **with the faculty member or person.**

8           **Sec. 6. Nothing in this chapter prohibits or restricts a board of**

9 **trustees of an institution from establishing additional policies or**

10 **criteria.**

11           **Chapter 3. Requirements Regarding Students, Employees,**

12 **Contractors, and Applicants**

13           **Sec. 1. (a) This section applies to the following:**

14                   **(1) An applicant for admission, enrollment, or employment at**

15                   **an institution.**

16                   **(2) An employee of the institution.**

17                   **(3) A person with whom the institution contracts to teach or**

18                   **mentor a student of the institution.**

19           **(b) An institution may not require an applicant, an employee, or**

20 **a person described in subsection (a) to pledge allegiance to or make**

21 **a statement of personal support for any:**

22                   **(1) policy or action that would treat similarly situated people**

23                   **or groups of people differently based on the race, color,**

24                   **national origin, sex, sexual orientation, or religion; or**

25                   **(2) political or ideological movement.**

26           **(c) If an institution receives a pledge or statement described in**

27 **subsection (b), including any statement regarding diversity, equity,**

28 **and inclusion, or related topics, the institution may not award:**

29                   **(1) admission, enrollment, or employment;**

30                   **(2) benefits;**

31                   **(3) hiring, reappointment, or promotion; or**

32                   **(4) granting tenure;**

33 **to an applicant, an employee, or a person described in subsection**

34 **(a) on the basis of the viewpoints expressed in the pledge or**

35 **statement.**

36           **Sec. 2. An institution shall include the following information in**

37 **the institution's programming for new students:**

38                   **(1) The importance of:**

39                           **(A) free inquiry and free expression; and**

40                           **(B) intellectual diversity of viewpoints.**

41                   **(2) The appropriate and inappropriate responses to speech**

42 **that a student finds offensive or disagreeable.**



1           **Chapter. 4. Policy on Neutrality**

2           **Sec. 1. The board of trustees of each institution shall adopt a**  
 3 **policy on the neutrality of the institution that makes a distinction**  
 4 **between the official positions of the institution, including its**  
 5 **schools, colleges, and departments, from the individual viewpoints**  
 6 **of the institution's employees, contractors, students, and alumni.**

7           **Sec. 2. A policy adopted under section 1 of this chapter must**  
 8 **limit the circumstances in which an employee or group of**  
 9 **employees from the institution may establish an official institution,**  
 10 **school, college, or department position on political, moral, or**  
 11 **ideological issues to only those circumstances that affect the core**  
 12 **mission of the institution and its values of free inquiry, free**  
 13 **expression, and intellectual diversity.**

14           **Sec. 3. Nothing in this chapter may be construed to limit the:**

- 15           (1) free speech of any individual beyond any employment  
 16 requirements established by the institution; or  
 17           (2) ability of an institution to advocate for state funding or  
 18 educational policies to the state or federal government.

19           **Chapter 5. Reporting Requirements**

20           **Sec. 1. The commission for higher education may establish a**  
 21 **student survey that attempts to collect information from students**  
 22 **of an institution regarding the current perceptions of whether free**  
 23 **speech and academic freedom are recognized and fostered by the**  
 24 **institution in a manner that welcomes expression of different**  
 25 **opinions and ideologies with respect to, but not limited to, classes,**  
 26 **faculty members and other instructors, peer interactions, speakers,**  
 27 **and campus groups.**

28           **Sec. 2. If the commission for higher education establishes a**  
 29 **student survey under section 1 of this chapter, each institution may**  
 30 **promote and provide to students the survey established under**  
 31 **section 1 of this chapter.**

32           **Sec. 3. If the commission for higher education establishes a**  
 33 **student survey under section 1 of this chapter, the commission for**  
 34 **higher education may do the following:**

- 35           (1) Prepare a biennial report that summarizes, for each  
 36 institution, the information collected from the student survey  
 37 responses.  
 38           (2) Submit the report described in subdivision (1) to the  
 39 legislative council in an electronic format under IC 5-14-6.  
 40           (3) Post the report on the commission for higher education's  
 41 website.

42           **Sec. 4. Not later than September 1, 2024, each institution shall**



1 submit the following to the commission for higher education and  
2 the state budget committee:

3 (1) Data describing the institution's budget allocations for  
4 diversity, equity, and inclusion initiatives.

5 (2) Information regarding the definitions, guidelines, and  
6 parameters the institution used in determining which  
7 initiatives were considered by the institution to be diversity,  
8 equity, and inclusion initiatives.

9 This section expires July 1, 2025.

10 Sec. 5. Not later than November 1, 2024, the commission for  
11 higher education shall do the following:

12 (1) Review the information submitted by the institutions  
13 under section 4 of this chapter.

14 (2) Recommend to the budget committee consistent  
15 definitions, guidelines, and parameters that would allow the  
16 information submitted under section 4 of this chapter to be  
17 compared across institutions and academic years.

18 This section expires July 1, 2025.

19 Sec. 6. At the time an institution submits its legislative budget  
20 request, the institution shall, in a manner prescribed by the state  
21 budget committee, submit to the state budget committee data  
22 describing the institution's budget allocations for diversity, equity,  
23 and inclusion initiatives.

24 Chapter 6. Construction and Enforcement

25 Sec. 1. Nothing in this article may be construed to do the  
26 following:

27 (1) Preclude efforts to gauge an applicant's commitment,  
28 plans, or past performance in fostering intellectual diversity.

29 (2) Prohibit an institution from:

30 (A) requiring a student, faculty member, contractor, or  
31 any other employee of the institution to comply with  
32 federal or state antidiscrimination laws; or

33 (B) taking action against a student, faculty member,  
34 contractor, or any other employee of the institution for a  
35 violation of federal or state antidiscrimination laws.

36 (3) Limit or restrict the academic freedom of faculty members  
37 or prevent faculty members from teaching, researching, or  
38 writing publications about diversity, equity, and inclusion or  
39 other topics.

40 (4) Prohibit an institution from considering the subject matter  
41 competency of any candidate for employment, reappointment,  
42 tenure, or promotion when the subject matter is germane to



1 the candidate's or faculty member's field of scholarship.

2 (5) Prohibit an institution from considering the candidate's or  
3 faculty member's past or potential for future contributions to  
4 fostering a culture of intellectual diversity at the institution.

5 (6) Prohibit an institution from complying with federal  
6 requirements to be eligible for federal grants.

7 **Sec. 2. (a) As used in this chapter, "petitioner" means any of the**  
8 **following:**

9 (1) A student of an institution.

10 (2) An employee of an institution.

11 (3) A contractor of an institution.

12 (4) An applicant for admission, enrollment, or employment  
13 with the institution.

14 (b) After completing any applicable complaint process  
15 established by the institution regarding a violation of this article,  
16 a petitioner who is not satisfied with a final decision by the  
17 institution regarding a complaint of a violation of this article, may  
18 submit a request to the commission for higher education, on a form  
19 prescribed by the commission for higher education, to review any  
20 complaint by the petitioner and decision by the institution, as  
21 applicable.

22 (c) The commission for higher education shall review the  
23 request submitted under subsection (b) and issue a final order  
24 regarding the request not later than sixty (60) days after the date  
25 that the commission for higher education receives the request.

26 SECTION 67. IC 21-49-4 IS ADDED TO THE INDIANA CODE  
27 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2024]:

29 **Chapter 4. State Educational Institution Information Reporting**

30 **Sec. 1. Not later than September 1, 2024, each state educational**  
31 **institution shall submit to the commission for higher education and**  
32 **the state budget committee the following information:**

33 (1) For each academic year, beginning with the 2017-2018  
34 academic year, the total number of state educational  
35 institution:

36 (A) full-time and tenured professors;

37 (B) adjunct instructors;

38 (C) other contingent faculty; and

39 (D) nonacademic support or administrative employees.

40 (2) For each academic year, the total number of employees at  
41 the state educational institution whose primary or secondary  
42 job duties or job titles include diversity, equity, and inclusion.



- 1           **(3) For each academic year, the total number of state**
- 2           **educational institution adjudications or proceedings**
- 3           **regarding violations of policies regarding diversity, equity,**
- 4           **and inclusion or harassment.**
- 5           **(4) A list and description of what the state educational**
- 6           **institution does to ensure free speech rights of students.**
- 7           **(5) A list and description of what the state educational**
- 8           **institution does to ensure intellectual freedom for professors.**
- 9           **(6) A list and description of what the state educational**
- 10          **institution does to ensure intellectual and ideological diversity**
- 11          **of professors.**
- 12          **(7) Information regarding the definitions, guidelines, and**
- 13          **parameters the institution used in determining which**
- 14          **information under subdivisions (1) through (6) to include in**
- 15          **the submission under this section.**

16          **This section expires July 1, 2025.**

17          **Sec. 2. Not later than November 1, 2024, the commission for**

18          **higher education shall do the following:**

- 19               **(1) Review the information submitted by the institutions**
- 20               **under section 1 of this chapter.**
- 21               **(2) Recommend to the budget committee consistent**
- 22               **definitions, guidelines, and parameters that would allow the**
- 23               **information submitted under section 1 of this chapter to be**
- 24               **compared across state educational institutions and academic**
- 25               **years.**

26          **This section expires July 1, 2025.**

27          **Sec. 3. At the time a state educational institution submits its**

28          **legislative budget request, the state educational institution shall, in**

29          **a manner prescribed by the state budget committee, submit to the**

30          **state budget committee the following information:**

- 31               **(1) For each academic year, the total number of state**
- 32               **educational institution:**
- 33                   **(A) full-time and tenured professors;**
- 34                   **(B) adjunct instructors;**
- 35                   **(C) other contingent faculty; and**
- 36                   **(D) nonacademic support or administrative employees.**
- 37               **(2) For each academic year, the total number of employees at**
- 38               **the state educational institution whose primary or secondary**
- 39               **job duties or job titles include diversity, equity, and inclusion.**
- 40               **(3) For each academic year, the total number of state**
- 41               **educational institution adjudications or proceedings**
- 42               **regarding violations of policies regarding diversity, equity,**



1           **and inclusion or harassment.**  
2           **(4) A list and description of what the state educational**  
3           **institution does to ensure free speech rights of students.**  
4           **(5) A list and description of what the state educational**  
5           **institution does to ensure intellectual freedom for professors.**  
6           **(6) A list and description of what the state educational**  
7           **institution does to ensure intellectual and ideological diversity**  
8           **of professors.**  
9           **SECTION 68. An emergency is declared for this act.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 202, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the following eleven (11)** members:

**(1) Nine (9) members** appointed by the governor as follows:

~~(1)~~ **(A)** Six (6) members who must be at large.

~~(2)~~ **(B)** Two (2) members who must be alumni of Ball State University.

~~(3)~~ **(C)** One (1) member who must be a Ball State University student.

**(2) Two (2) at-large members appointed by the legislative council who are not members of the general assembly.**

SECTION 2. IC 21-19-3-3 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 3: ~~Not more than six (6) of the nonstudent members of the board of trustees may be of the same sex:~~

SECTION 3. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. A vacancy occurring on the board of trustees from death, incapacitation, or resignation shall be filled by appointment of the ~~governor~~ **appropriate appointing authority** for the unexpired term. Vacancies in offices held by alumni members shall be filled from nominees submitted by the Ball State University alumni council.

SECTION 4. IC 21-20-3-2, AS ADDED BY P.L.2-2007, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees has ~~nine (9)~~ **eleven (11)** members.

SECTION 5. IC 21-20-3-3 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 3: ~~This section does not apply to the student trustee appointed to the board of trustees. Not more than:~~

~~(1) one (1) of the trustees elected to the board of trustees; and~~

~~(2) two (2) of the trustees appointed to the board of trustees;~~

~~may reside in the same county.~~

SECTION 6. IC 21-20-3-12, AS AMENDED BY P.L.29-2012,





SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The governor shall appoint five (5) members of the board of trustees. ~~for~~

**(b) The legislative council shall appoint two (2) at-large members of the board of trustees who are not members of the general assembly.**

**(c) The members appointed under this section shall serve terms of three (3) years.**

~~(b)~~ (d) Whenever a vacancy occurs in the membership of the board of trustees who are appointed by the governor **or legislative council** because of death or resignation or for any other reason, the vacancy shall be filled by an appointment of the **governor original appointing authority** for the unexpired term.

SECTION 7. IC 21-21-3-2, AS ADDED BY P.L.2-2007, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the following eleven (11)** trustees:

**(1) Nine (9) members** appointed by the governor as follows:

~~(1)~~ **(A)** Seven (7) competent individuals, one (1) of whom must be a student.

~~(2)~~ **(B)** Two (2) competent individuals who are alumni of Indiana State University nominated by the alumni council of Indiana State University.

**(2) Two (2) at-large members appointed by the legislative council who are not members of the general assembly.**

SECTION 8. IC 21-21-3-8 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 8: At least one (1) woman must be on the board of trustees.~~

SECTION 9. IC 21-21-3-9, AS ADDED BY P.L.2-2007, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The ~~governor~~ **appropriate appointing authority** shall fill a vacancy occurring in the board of trustees from death, resignation, or removal from the state for the unexpired term of the retiring trustee.

(b) The alumni council of Indiana State University shall nominate the appointee to fill a vacancy caused by the loss of an alumni member.

SECTION 10. IC 21-22-3-1, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. Ivy Tech Community College shall be governed by a state board of trustees appointed by the governor **and the legislative council as provided under section 3 of this chapter.**

SECTION 11. IC 21-22-3-3, AS AMENDED BY P.L.174-2018,



SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The number of members of the state board of trustees must equal the number of regions established by the state board of trustees plus ~~one (1)~~ **three (3)** additional ~~member,~~ **members**, but shall not exceed ~~fifteen (15)~~ **seventeen (17)** total members.

**(b) The legislative council shall appoint two (2) at-large members to the state board of trustees who are not members of the general assembly. The governor shall appoint the remaining members described in subsection (a).**

**(c) The state board of trustees shall divide the state of Indiana into regions. Each region shall be represented by one (1) trustee appointed by the governor.**

**(d) Each member of the state board of trustees appointed by the governor must have knowledge or experience in one (1) or more of the following areas:**

- (1) Manufacturing.
- (2) Commerce.
- (3) Labor.
- (4) Agriculture.
- (5) State and regional economic development needs.
- (6) Indiana's educational delivery system.

**(e) One (1) member appointed by the governor must serve as an at-large member. Appointments shall be for three (3) year terms, on a staggered basis.**

~~(b)~~ **(f) An individual who holds an elective or appointed office of the state is not eligible to serve as a member of the state board of trustees. A member of a campus board may be appointed to the state board of trustees but must then resign from the campus board.**

SECTION 12. IC 21-22-3-4, AS AMENDED BY P.L.174-2018, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The ~~governor appropriate appointing authority~~ shall fill all vacancies on the state board of trustees. All members of the state board of trustees who are serving on July 1, 2018, are entitled to serve until the ~~ends~~ **end** of their terms. At the end of a trustee's term or otherwise upon the occurrence of a vacancy, the ~~governor appropriate appointing authority~~ may appoint a trustee in accordance with section 3 of this chapter.

SECTION 13. IC 21-23-3-1, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of ~~ten (10)~~ **twelve (12)** members, to be appointed for the term of service and in the manner provided by this chapter. The terms of all trustees



terminate on July 1 of the year in which their terms of office expire.

SECTION 14. IC 21-23-3-2, AS AMENDED BY P.L.213-2015, SECTION 237, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The governor shall appoint ten (10) trustees, **which includes the Purdue University alumni selected under section 3 of this chapter**, for Purdue University for the term beginning on July 1 in conformity with this chapter.

(b) The general assembly urges the governor to appoint at least one (1) resident of Allen County to the board of trustees of Purdue University.

**(c) Two (2) at-large members shall be appointed to the board of trustees by the legislative council. The members appointed under this subsection may not be members of the general assembly.**

SECTION 15. IC 21-23-3-4 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 4. Seven (7) of the trustees shall be appointed by the governor.~~

SECTION 16. IC 21-23-3-8, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. In case any vacancy occurs on the board of trustees by reason of the resignation, removal from the state, expiration of the term of office, or otherwise of any of the trustees appointed by the ~~governor~~, **applicable appointing authority**, the vacancy shall be filled by the ~~governor~~ **applicable appointing authority** from the respective classes as provided in this section to serve only for the unexpired term.

SECTION 17. IC 21-23-3-9, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. **(a)** The acceptance of an appointment by the governor **or legislative council** signifies that the appointee will give the appointee's best efforts to the interests of Purdue University and that the appointee will regularly attend the meetings of the board of trustees.

**(b)** The secretary of the board of trustees shall report the attendance of each meeting of the board of trustees to the governor **and legislative council regarding the respective members appointed by the governor or legislative council**. If a member is absent for two (2) consecutive meetings without sufficient excuse, it shall be considered sufficient cause for the governor **or legislative council** to ask for the resignation of the member **whom the governor or legislative council appointed**.

SECTION 18. IC 21-24-3-2, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees consists of ~~nine (9)~~ **eleven (11)** members who shall serve terms of four (4) years. However, the term of a student member of the board of trustees is two (2) years.

SECTION 19. IC 21-24-3-4, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The **members of the** board of trustees **appointed by the governor** must include at least the following:

(1) One (1) member who is an alumnus of the University of Southern Indiana or an alumnus of the regional campus.

(2) One (1) member who is a full-time student in good standing enrolled in the University of Southern Indiana.

~~(3) One (1) member who is a resident of Vanderburgh County.~~

SECTION 20. IC 21-24-3-5, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint **nine (9)** of the members of the board of trustees.

**(b) The legislative council shall appoint two (2) at-large members to the board of trustees. The members appointed under this subsection may not be members of the general assembly.**

~~(b)~~ (c) If a vacancy occurs during the term of any member, the **governor appointing authority** shall appoint an individual to serve the unexpired term of the vacating member.

SECTION 21. IC 21-25-3-1, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of ~~ten (10)~~ **twelve (12)** trustees.

SECTION 22. IC 21-25-3-2, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** Nine (9) members of the board of trustees shall be appointed by the governor, ~~one (1) of whom must be a resident of Knox County and~~ one (1) **of whom** must be an alumnus of Vincennes University. In addition, the governor shall appoint one (1) trustee who is a full-time student of Vincennes University during the student's term.

**(b) The legislative council shall appoint two (2) at-large members to the board of trustees. The members appointed under this subsection may not be members of the general assembly."**

Page 4, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 30. IC 21-38-2-1, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section applies to the boards of trustees of the following state educational institutions:

- (1) Indiana University.
- (2) Purdue University.
- (3) Indiana State University.
- (4) Ball State University.

(b) **Except as provided in section 7 of this chapter**, each member of the board of trustees of a state educational institution 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.

SECTION 31. IC 21-38-2-3, AS AMENDED BY P.L.3-2008, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) **Except as provided in section 7 of this chapter**, a member of the board of trustees of Ivy Tech Community College is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b), unless the member holds another position that is considered a lucrative office within the meaning of Article 2, Section 9 of the Constitution of the State of Indiana.

(b) A member of the board of trustees of Ivy Tech Community College is entitled to reimbursement for travel expenses 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.

SECTION 32. IC 21-38-2-5, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. **Except as provided in section 7 of this chapter**, each member of the board of trustees of the University of Southern Indiana is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.

SECTION 33. IC 21-38-2-6, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except as provided in section 7 of this chapter**, the members of the board of trustees of Vincennes University shall serve without compensation, except that each member



is entitled to the salary per diem as provided by IC 4-10-11-2.1 and to reimbursement for travel, lodging, meals, and other expenses as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 34. IC 21-38-2-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 7. Any member of a board of trustees of a state educational institution who is a state employee:**

- (1) is not entitled to a minimum salary per diem provided by IC 4-10-11-2.1; and**
- (2) 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."**

Page 12, after line 24, begin a new paragraph and insert:

"SECTION 39. IC 21-49-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

**Chapter 4. State Educational Institution Information Reporting**

**Sec. 1. Each state educational institution shall, at the time the state educational institution submits its legislative budget request, submit to the budget committee a report that includes the following information:**

- (1) For each academic year, beginning with the 2000-2001 academic year, the total number of state educational institution:**
  - (A) full-time and tenured professors;**
  - (B) adjunct instructors;**
  - (C) other contingent faculty; and**
  - (D) nonacademic support or administrative employees.**
- (2) For each academic year, the total number of employees at the state educational institution whose primary or secondary job duties or job titles include diversity, equity, and inclusion.**
- (3) For each academic year, the total number of state educational institution adjudications or proceedings regarding violations of policies regarding diversity, equity, and inclusion or harassment.**
- (4) A list and description of what the state educational institution does to ensure free speech rights of students.**



- (5) A list and description of what the state educational institution does to ensure intellectual freedom for professors.
- (6) A list and description of what the state educational institution does to ensure intellectual and ideological diversity of professors."

Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to SB 202 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 9, Nays 4.

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SENATE MOTION

Madam President: I move that Senate Bill 202 be amended to read as follows:

Page 17, delete lines 7 through 29, begin a new paragraph and insert:

**"Sec. 4. Not later than September 1, 2024, each institution shall submit the following to the commission for higher education and the state budget committee:**

- (1) Data describing the institution's budget allocations for diversity, equity, and inclusion initiatives.
- (2) Information regarding the definitions, guidelines, and parameters the institution used in determining which initiatives were considered by the institution to be diversity, equity, and inclusion initiatives.

**This section expires July 1, 2025.**

**Sec. 5. Not later than November 1, 2024, the commission for higher education shall do the following:**

- (1) Review the information submitted by the institutions under section 4 of this chapter.
- (2) Recommend to the budget committee consistent definitions, guidelines, and parameters that would allow the information submitted under section 4 of this chapter to be compared across institutions and academic years.

**This section expires July 1, 2025.**

**Sec. 6. At the time an institution submits its legislative budget request, the institution shall, in a manner prescribed by the state**

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**budget committee, submit to the state budget committee data describing the institution's budget allocations for diversity, equity, and inclusion initiatives."**

Page 18, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 38. IC 21-49-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

**Chapter 4. State Educational Institution Information Reporting**

**Sec. 1. Not later than September 1, 2024, each state educational institution shall submit to the commission for higher education and the state budget committee the following information:**

**(1) For each academic year, beginning with the 2017-2018 academic year, the total number of state educational institution:**

- (A) full-time and tenured professors;**
- (B) adjunct instructors;**
- (C) other contingent faculty; and**
- (D) nonacademic support or administrative employees.**

**(2) For each academic year, the total number of employees at the state educational institution whose primary or secondary job duties or job titles include diversity, equity, and inclusion.**

**(3) For each academic year, the total number of state educational institution adjudications or proceedings regarding violations of policies regarding diversity, equity, and inclusion or harassment.**

**(4) A list and description of what the state educational institution does to ensure free speech rights of students.**

**(5) A list and description of what the state educational institution does to ensure intellectual freedom for professors.**

**(6) A list and description of what the state educational institution does to ensure intellectual and ideological diversity of professors.**

**(7) Information regarding the definitions, guidelines, and parameters the institution used in determining which information under subdivisions (1) through (6) to include in the submission under this section.**

**This section expires July 1, 2025.**

**Sec. 2. Not later than November 1, 2024, the commission for higher education shall do the following:**

**(1) Review the information submitted by the institutions under section 1 of this chapter.**





- (2) Recommend to the budget committee consistent definitions, guidelines, and parameters that would allow the information submitted under section 1 of this chapter to be compared across state educational institutions and academic years.

This section expires July 1, 2025.

Sec. 3. At the time a state educational institution submits its legislative budget request, the state educational institution shall, in a manner prescribed by the state budget committee, submit to the state budget committee the following information:

- (1) For each academic year, the total number of state educational institution:
  - (A) full-time and tenured professors;
  - (B) adjunct instructors;
  - (C) other contingent faculty; and
  - (D) nonacademic support or administrative employees.
- (2) For each academic year, the total number of employees at the state educational institution whose primary or secondary job duties or job titles include diversity, equity, and inclusion.
- (3) For each academic year, the total number of state educational institution adjudications or proceedings regarding violations of policies regarding diversity, equity, and inclusion or harassment.
- (4) A list and description of what the state educational institution does to ensure free speech rights of students.
- (5) A list and description of what the state educational institution does to ensure intellectual freedom for professors.
- (6) A list and description of what the state educational institution does to ensure intellectual and ideological diversity of professors."

Delete page 19.

(Reference is to SB 202 as printed January 26, 2024.)

DEERY

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SENATE MOTION

Madam President: I move that Senate Bill 202 be amended to read as follows:

Page 1, delete lines 1 through 15, begin a new paragraph and insert:  
"SECTION 1. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION

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260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees is composed of **the following** nine (9) members:

- (1) **Seven (7) members** appointed by the governor as follows:
  - ~~(1)~~ (A) Six (6) members who must be at large.
  - ~~(2)~~ Two (2) members who must be alumni of Ball State University.
  - ~~(3)~~ (B) One (1) member who must be a Ball State University student.
- (2) **Two (2) members** appointed as follows:
  - (A) **One (1) member** who:
    - (i) is appointed by the president pro tempore of the senate with advice from the minority leader of the senate;
    - (ii) is an alumnus of Ball State University; and
    - (iii) is not a member of the general assembly.
  - (B) **One (1) member** who:
    - (i) is appointed by the speaker of the house of representatives with advice from the minority leader of the house of representatives;
    - (ii) is an alumnus of Ball State University; and
    - (iii) is not a member of the general assembly.

SECTION 2. IC 21-19-3-3, AS AMENDED BY P.L.29-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. ~~Not more than six (6) of the nonstudent members of~~ The board of trustees may be of **not consist of members who are all of** the same sex.

SECTION 3. IC 21-19-3-6 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 6: (a) The Ball State University alumni council shall designate the term and nominate a person for each of the two (2) alumni memberships on the board of trustees:

(b) The Ball State University alumni council, through the president of Ball State University, shall submit the names of the nominees to the governor for the governor's immediate appointment to the board of trustees:

SECTION 4. IC 21-19-3-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 7: At least thirty (30) days before the expiration of the term of an alumni member, the Ball State University Alumni Council, or its successor, must submit, through the president of Ball State University, the name of the nominee to succeed the retiring alumni member. The governor shall appoint the nominee as an alumni member of the board of trustees:



SECTION 5. IC 21-19-3-8, AS ADDED BY P.L.2-2007, SECTION 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) ~~With the exception of the student member of the board of trustees, Except as provided under subsections (c) and (d),~~ all appointments to the Ball State University board of trustees are for four (4) year terms. **Except for appointments under section 2(2) of this chapter,** each term of a nonstudent board member begins on January 1 of the appropriate year.

(b) The term of a member continues until the member's successor is appointed and qualified.

(c) The student member of the board of trustees is appointed for a two (2) year term. The student member's term begins on July 1 of the year in which the student member is appointed. The student member must be a full-time student at Ball State University throughout the student member's term.

**(d) The term of a member appointed under section 2(2) of this chapter shall expire on June 30 of each odd-numbered year.**

SECTION 6. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. A vacancy occurring on the board of trustees from death, incapacitation, or resignation shall be filled by appointment of the ~~governor~~ **appropriate appointing authority** for the unexpired term. ~~Vacancies in offices held by alumni members shall be filled from nominees submitted by the Ball State University alumni council.~~

SECTION 7. IC 21-19-3-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) **As used in this section "alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.**

(b) **An alumnus appointed member may serve until the member's term expires.**

(c) **Notwithstanding section 9 of this chapter, the president pro tempore of the senate shall appoint an alumnus member as provided under section 2(2)(A) of this chapter upon the earlier of:**

- (1) the expiration of an alumnus appointed member's term;**
- (2) a vacancy on the board of trustees by an alumnus appointed member.**

(d) **Notwithstanding section 9 of this chapter, after the president pro tempore of the senate appoints an alumnus member under subsection (c), the speaker of the house of representatives shall appoint an alumnus member as provided under section 2(2)(B) of this chapter upon the earlier of:**



(1) the expiration of the remaining alumnus appointed member's term; or

(2) a vacancy on the board of trustees by the remaining alumnus appointed member.

(e) This section expires July 1, 2029.

SECTION 8. IC 21-20-3-3 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 3: This section does not apply to the student trustee appointed to the board of trustees. Not more than:

(1) one (1) of the trustees elected to the board of trustees; and

(2) two (2) of the trustees appointed to the board of trustees;

may reside in the same county.

SECTION 9. IC 21-20-3-4, AS AMENDED BY P.L.29-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) ~~Three (3) members~~ **One (1) member** of the board of trustees shall be elected by the alumni of Indiana University under this chapter. In the year in which the term of ~~any~~ **the** member of the board of trustees elected by the alumni expires, a successor to the trustee shall be elected by the alumni of Indiana University, to serve for a term of three (3) years beginning July 1 next succeeding the election.

(b) When a vacancy occurs ~~in the membership~~ **regarding the member** of the board of trustees who ~~are~~ **is** elected by the alumni, because of death, resignation, or any other reason, the vacancy shall be filled by selection by the Indiana University alumni association executive council for the unexpired term.

SECTION 10. IC 21-20-3-5, AS ADDED BY P.L.2-2007, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The ~~members~~ **member** of the board of trustees who ~~are~~ **is** elected by the alumni of Indiana University must be ~~alumni~~ **an alumnus** of Indiana University.

SECTION 11. IC 21-20-3-8, AS AMENDED BY P.L.29-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. The election of ~~members~~ **the member** of the board of trustees shall be held at Indiana University on the secular day immediately preceding July 1. At that time ~~trustees~~ **the trustee** shall be elected to:

(1) serve for a term of three (3) years from July 1 next succeeding the trustee's election; and

(2) complete any unexpired term or terms.

SECTION 12. IC 21-20-3-9, AS AMENDED BY P.L.29-2012, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The university librarian shall conduct the



elections to select the ~~three (3)~~ **alumni members one (1) alumnus member** of the board of trustees **elected by the alumni of Indiana University**. All alumni (as described in section 6 of this chapter) are eligible to participate in the election either by electronic or printed ballot, and each eligible individual may cast only one (1) vote. A request for a printed ballot must be made in writing to the university librarian not later than May 1 of an election year. The university librarian may adopt rules and regulations as necessary to carry out this section.

SECTION 13. IC 21-20-3-12, AS AMENDED BY P.L.29-2012, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) The governor shall appoint ~~five (5)~~ **six (6)** members of the board of trustees, ~~for including the student member appointed under section 13 of this chapter.~~

(b) **The president pro tempore of the senate with advice from the minority leader of the senate shall appoint one (1) member of the board of trustees who:**

- (1) **is an alumnus of Indiana University; and**
- (2) **is not a member of the general assembly.**

(c) **The speaker of the house of representatives with advice from the minority leader of the house of representatives shall appoint one (1) member of the board of trustees who:**

- (1) **is an alumnus of Indiana University; and**
- (2) **is not a member of the general assembly.**

(d) **Except as provided under section 13 of this chapter, the members appointed under subsection (a) shall serve terms of three (3) years.**

(e) **The term of a member appointed under subsection (b) or (c) shall expire on June 30 of each odd-numbered year.**

~~(b)~~ (f) **Whenever a vacancy occurs in the membership of the board of trustees who are appointed by the governor, president pro tempore of the senate, or speaker of the house of representatives because of death or resignation or for any other reason, the vacancy shall be filled by an appointment of the governor appropriate appointing authority for the unexpired term.**

SECTION 14. IC 21-20-3-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12.5. The board of trustees may not consist of members who are all of the same sex.**

SECTION 15. IC 21-20-3-17 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) As used in this section**



**"alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.**

**(b) An alumnus appointed member may serve until the member's term expires.**

**(c) Notwithstanding section 12(f) of this chapter, the speaker of the house of representatives shall appoint an alumnus member as provided under section 12(c) of this chapter upon the earlier of:**

- (1) the expiration of an alumnus appointed member's term; or**
- (2) a vacancy on the board of trustees by an alumnus appointed member.**

**(d) Notwithstanding section 12(f) of this chapter, after the speaker of the house of representatives appoints an alumnus member under subsection (c), the president pro tempore of the senate shall appoint an alumnus member as provided under section 12(b) of this chapter upon the earlier of:**

- (1) the expiration of the remaining alumnus appointed member's term; or**
- (2) a vacancy on the board of trustees by the remaining alumnus appointed member.**

**(e) This section expires July 1, 2029.**

SECTION 16. IC 21-21-3-2, AS ADDED BY P.L.2-2007, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees is composed of nine (9) trustees ~~appointed by the governor~~ as follows:

**(1) Seven (7) competent individuals, one (1) of whom must be a student, appointed by the governor.**

**(2) Two (2) competent individuals who are alumni of Indiana State University nominated by the alumni council of Indiana State University.**

**(2) One (1) member who:**

- (A) is appointed by the president pro tempore of the senate with advice from the minority leader of the senate;**
- (B) is an alumnus of Indiana State University; and**
- (C) is not a member of the general assembly.**

**(3) One (1) member who:**

- (A) is appointed by the speaker of the house of representatives with advice from the minority leader of the house of representatives;**
- (B) is an alumnus of Indiana State University; and**
- (C) is not a member of the general assembly.**

SECTION 17. IC 21-21-3-2.5 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may not consist of trustees who are all of the same sex.**

SECTION 18. IC 21-21-3-3, AS ADDED BY P.L.2-2007, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) ~~Subject to subsection~~ **Except as provided under subsections (b) and (c)**, the term of a trustee is four (4) years.

(b) The term of a student trustee is two (2) years.

**(c) The term of a member appointed under section 2(2) or 2(3) of this chapter shall expire on June 30 of each odd-numbered year.**

SECTION 19. IC 21-21-3-6 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 6: ~~An alumni member appointed to the board of trustees must have completed a prescribed course of study by Indiana State University or one (1) of the following predecessors of Indiana State University:~~

~~(1) Indiana State Normal School;~~

~~(2) Indiana State Teachers College;~~

~~(3) Indiana State College;~~

SECTION 20. IC 21-21-3-8 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 8: ~~At least one (1) woman must be on the board of trustees;~~

SECTION 21. IC 21-21-3-9, AS ADDED BY P.L.2-2007, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. ~~(a) The governor~~ **appropriate appointing authority** shall fill a vacancy occurring in the board of trustees from death, resignation, or removal from the state for the unexpired term of the retiring trustee.

~~(b) The alumni council of Indiana State University shall nominate the appointee to fill a vacancy caused by the loss of an alumni member;~~

SECTION 22. IC 21-21-3-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 10. (a) As used in this section "alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.**

**(b) An alumnus appointed member may serve until the member's term expires.**

**(c) Notwithstanding section 9 of this chapter, the speaker of the house of representatives shall appoint an alumnus member as provided under section 2(3) of this chapter upon the earlier of:**

**(1) the expiration of an alumnus appointed member's term; or**

**(2) a vacancy on the board of trustees by an alumnus**



appointed member.

(d) Notwithstanding section 9 of this chapter, after the speaker of the house of representatives appoints an alumnus member under subsection (c), the president pro tempore of the senate shall appoint an alumnus member as provided under section 2(2) of this chapter upon the earlier of:

- (1) the expiration of the remaining alumnus appointed member's term; or
- (2) a vacancy on the board of trustees by the remaining alumnus appointed member.

(e) This section expires July 1, 2029.

SECTION 23. IC 21-22-3-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 3.5. The state board of trustees may not consist of members who are all of the same sex.**

SECTION 24. IC 21-23-3-1, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The board of trustees consists of ten (10) members, to be appointed for the term of service and in the manner provided by this chapter. **Except as provided under section 7(c) of this chapter**, the terms of all trustees terminate on July 1 of the year in which their terms of office expire.

SECTION 25. IC 21-23-3-2, AS AMENDED BY P.L.213-2015, SECTION 237, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The governor shall appoint ~~ten (10)~~ **eight (8)** trustees for Purdue University for the term beginning on July 1 in conformity with this chapter.

(b) The general assembly urges the governor to appoint at least one (1) resident of Allen County to the board of trustees of Purdue University.

(c) **The president pro tempore of the senate with advice from the minority leader of the senate shall appoint one (1) trustee who:**

- (1) is an alumnus of Purdue University; and
- (2) is not a member of the general assembly.

(d) **The speaker of the house of representatives with advice from the minority leader of the house of representatives shall appoint one (1) trustee who:**

- (1) is an alumnus of Purdue University; and
- (2) is not a member of the general assembly.

SECTION 26. IC 21-23-3-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may**





**not consist of members who are all of the same sex.**

SECTION 27. IC 21-23-3-3, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) ~~Three (3) members~~ **One (1) member** of the board of trustees shall be selected by the members of the Purdue alumni association. ~~One (1) of the members~~ **The member** must be a graduate of the school of agriculture. ~~All members~~ **The member** of the board of trustees selected under this section must be ~~members a member~~ of the alumni association and graduates of Purdue University.

(b) At the annual meeting of the Purdue alumni association for the year in which the term of office of ~~any one (1) of the trustees~~ **the trustee** selected under this section expires, a successor shall be selected by the members of the Purdue alumni association, in the manner that the Purdue alumni association prescribes. The president of the Purdue alumni association shall certify all selections made by the Purdue alumni association.

(c) If, at any time, a vacancy occurs on the board of trustees, occasioned by the death, resignation, expiration of term, or otherwise of ~~any of the members~~ **the member** of the board of trustees selected by the members of the Purdue alumni association, the vacancy shall be filled by selection by the president of the Purdue alumni association. The member selected to fill a vacancy serves until the next annual meeting of the Purdue alumni association when a successor to fill out the unexpired term shall be selected in the manner provided in subsection (b). The member selected by the Purdue alumni association shall be appointed by the governor to fill out the unexpired term.

SECTION 28. IC 21-23-3-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 4: ~~Seven (7) of the trustees shall be appointed by the governor.~~

SECTION 29. IC 21-23-3-7, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) **Except as provided in subsections (b) and (c)**, all members of the board of trustees serve for three (3) years. ~~except for~~

(b) The student member ~~who~~ serves for two (2) years.

(c) **The term of a member appointed under section 2(c) or 2(d) of this chapter shall expire on June 30 of each odd-numbered year.**

SECTION 30. IC 21-23-3-8, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. In case any vacancy occurs on the board of trustees by reason of the resignation, removal from the



state, expiration of the term of office, or otherwise of any of the trustees appointed by the ~~governor~~, **appropriate appointing authority**, the vacancy shall be filled by the ~~governor~~ **appropriate appointing authority** from the respective classes as provided in this section to serve only for the unexpired term.

SECTION 31. IC 21-23-3-9, AS ADDED BY P.L.2-2007, SECTION 264, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The acceptance of an appointment by the governor, **president pro tempore of the senate, or speaker of the house of representatives** signifies that the appointee will give the appointee's best efforts to the interests of Purdue University and that the appointee will regularly attend the meetings of the board of trustees.

(b) The secretary of the board of trustees shall report the attendance of each meeting of the board of trustees to the governor, **president pro tempore of the senate, or speaker of the house of representatives regarding the respective members appointed by the governor, president pro tempore of the senate, or speaker of the house of representatives**. If a member is absent for two (2) consecutive meetings without sufficient excuse, it shall be considered sufficient cause for the governor, **president pro tempore of the senate, or speaker of the house of representatives** to ask for the resignation of the member **whom the governor, president pro tempore of the senate, or speaker of the house of representatives appointed**.

SECTION 32. IC 21-23-3-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) **As used in this section "alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.**

(b) **An alumnus appointed member may serve until the member's term expires.**

(c) **Notwithstanding section 8 of this chapter, the president pro tempore of the senate shall appoint an alumnus member as provided under section 2(c) of this chapter upon the earlier of:**

- (1) **the expiration of an alumnus appointed member's term; or**
- (2) **a vacancy on the board of trustees by an alumnus appointed member.**

(d) **Notwithstanding section 8 of this chapter, after the president pro tempore of the senate appoints an alumnus member under subsection (c), the speaker of the house of representatives shall appoint an alumnus member as provided under section 2(d) of this**



chapter upon the earlier of:

- (1) the expiration of the remaining alumnus appointed member's term; or
- (2) a vacancy on the board of trustees by the remaining alumnus appointed member.

(e) **This section expires July 1, 2029.**

SECTION 33. IC 21-24-3-2, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The board of trustees consists of ~~nine (9)~~ **ten (10)** members who shall, **except as provided under subsections (b) and (c)**, serve terms of four (4) years. ~~However,~~

(b) The term of a student member of the board of trustees is two (2) years.

(c) **The term of a member appointed under section 5(b) or 5(c) of this chapter shall expire on June 30 of each odd-numbered year.**

SECTION 34. IC 21-24-3-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may not consist of members who are all of the same sex.**

SECTION 35. IC 21-24-3-4, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The **members of the** board of trustees **appointed by the governor** must include at least the following:

- (1) ~~One (1) member who is an alumnus of the University of Southern Indiana or an alumnus of the regional campus.~~
- (2) ~~(1) One (1) member who is a full-time student in good standing enrolled in the University of Southern Indiana.~~
- (3) ~~(2) One (1) member who is a resident of Vanderburgh County.~~

SECTION 36. IC 21-24-3-5, AS ADDED BY P.L.2-2007, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint **eight (8)** of the members of the board of trustees.

(b) **The president pro tempore of the senate with advice from the minority leader of the senate shall appoint one (1) member to the board of trustees who:**

- (1) is an alumnus of the University of Southern Indiana; and
- (2) is not a member of the general assembly.

(c) **The speaker of the house of representatives with advice from the minority leader of the house of representatives shall appoint one (1) member of the board of trustees who:**

- (1) is an alumnus of the University of Southern Indiana; and



**(2) is not a member of the general assembly.**

**(b) (d)** If a vacancy occurs during the term of any member, the **governor appropriate appointing authority** shall appoint an individual to serve the unexpired term of the vacating member.

SECTION 37. IC 21-24-3-6 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 6: (a) There is established a screening committee of the University of Southern Indiana to nominate the alumnus member of the board of trustees:

(b) The screening committee consists of five (5) members appointed by the executive body of the university alumni association designated by the board of trustees:

(c) Within seventy-five (75) days after the date that a vacancy occurs on the board of trustees for the alumnus member, the screening committee shall submit a list of at least three (3) names of eligible individuals to a person designated by the board of trustees:

(d) When the names are received by the person designated by the board of trustees, the designated person shall submit the names to the governor:

(e) The governor shall appoint the alumnus member of the board of trustees from the list of names submitted under subsection (d): However, if the governor does not receive the names of at least three (3) eligible individuals under subsection (d) within ninety (90) days after the alumnus member vacancy on the board occurs, the governor may appoint any individual who is otherwise eligible under this chapter to serve as the alumnus member of the board of trustees:

SECTION 38. IC 21-24-3-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) As used in this section "alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.

(b) An alumnus appointed member may serve until the member's term expires.

(c) The president pro tempore of the senate shall, not later than July 1, 2024, appoint an alumnus member under section 5(b) of this chapter.

(d) Notwithstanding section 5 of this chapter, the speaker of the house of representative shall appoint an alumnus member as provided under section 5(c) of this chapter upon the earlier of:

- (1) the expiration of the alumnus appointed member's term;
- or
- (2) a vacancy on the board of trustees by the alumnus appointed member.



**(e) This section expires July 1, 2029.**

SECTION 39. IC 21-25-3-1, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of ~~ten (10)~~ **eleven (11)** trustees.

SECTION 40. IC 21-25-3-2, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a) ~~Nine (9)~~ Eight (8)** members of the board of trustees shall be appointed by the governor, one (1) of whom must be a resident of Knox County. ~~and one (1) must be an alumnus of Vincennes University.~~ In addition, the governor shall appoint one (1) trustee who is a full-time student of Vincennes University during the student's term.

**(b) The president pro tempore of the senate with advice from the minority leader of the senate shall appoint one (1) member to the board of trustees who:**

- (1) is an alumnus of Vincennes University; and**
- (2) is not a member of the general assembly.**

**(c) The speaker of the house of representatives with advice from the minority leader of the house of representatives shall appoint one (1) member of the board of trustees who:**

- (1) is an alumnus of Vincennes University; and**
- (2) is not a member of the general assembly.**

SECTION 41. IC 21-25-3-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 2.5. The board of trustees may not consist of members who are all of the same sex.**

SECTION 42. IC 21-25-3-4, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. **(a) Except as provided under subsections (b) and (c),** the term of each appointed trustee is three (3) years. ~~However,~~

**(b) The term of the student appointee is one (1) year.**

**(c) The term of a member appointed under section 2(b) or 2(c) of this chapter shall expire on June 30 of each odd-numbered year.**

SECTION 43. IC 21-25-3-5, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. **(a) Except as provided under subsection (b),** if a vacancy occurs in the membership of the board of trustees, the vacancy shall be filled by the board of trustees for the unexpired term.

**(b) If a vacancy occurs among the members of the board of**



**trustees appointed under section 2(b) or 2(c) of this chapter, the appropriate appointing authority shall fill the vacancy on the board of trustees.**

SECTION 44. IC 21-25-3-6, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except for a member who is appointed under section 2(b) or 2(c) of this chapter**, the appropriate number of appointive trustees shall be appointed before the first Monday of October of each year. **Except for a member appointed under section 2(b) or 2(c) of this chapter**, the first Monday is the first day of their terms.

SECTION 45. IC 21-25-3-7, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. There shall be the following four (4) ~~ex officio~~ members of the board of trustees **who are nonvoting advisory members**:

- (1) The president of the university.
- (2) The superintendent of the Vincennes Community School Corporation.
- (3) The superintendent of the South Knox School Corporation.
- (4) The superintendent of the North Knox School Corporation.

SECTION 46. IC 21-25-3-9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) **As used in this section "alumnus appointed member" refers to a current member of the board of trustees who was an alumnus appointment by the governor before July 1, 2024.**

(b) **An alumnus appointed member may serve until the member's term expires.**

(c) **The speaker of the house of representatives shall, not later than July 1, 2024, appoint an alumnus member under section 2(c) of this chapter.**

(d) **Notwithstanding section 5 of this chapter, the president pro tempore of the senate shall appoint an alumnus member as provided under section 2(b) of this chapter upon the earlier of:**

- (1) **the expiration of the alumnus appointed member's term;**
- or**
- (2) **a vacancy on the board of trustees by the alumnus appointed member.**

(e) **This section expires July 1, 2029.**

SECTION 47. IC 21-25-5-3, AS ADDED BY P.L.2-2007, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Six (6) trustees **appointed under**



**IC 21-25-3-2** constitute a quorum at any regular or special meeting of the board of trustees."

Delete pages 2 through 5.

Page 6, delete lines 1 through 15.

Page 19, after line 18, begin a new paragraph and insert:

**"SECTION 57. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to SB 202 as printed January 26, 2024.)

DEERY

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SENATE MOTION

Madam President: I move that Senate Bill 202 be amended to read as follows:

Page 1, after line 15, begin a new paragraph and insert:

**"SECTION 3. IC 21-19-3-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. One (1) member appointed by the governor under section 2(1) of this chapter must be a resident of Delaware County."**

Page 2, between lines 31 and 32, begin a new paragraph and insert:

**"SECTION 8. IC 21-20-3-12.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12.7. One (1) member appointed by the governor under section 12(a) of this chapter must be a resident of Monroe County."**

Page 3, between lines 1 and 2, begin a new paragraph and insert:

**"SECTION 10. IC 21-21-3-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.7. One (1) member appointed by the governor under section 2(1) of this chapter must be a resident of Vigo County."**

Page 4, between lines 31 and 32, begin a new paragraph and insert:

**"SECTION 15. IC 21-23-3-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.7. One (1) member appointed by the governor under section 2(a) of this chapter must be a resident of Tippecanoe County."**

Page 5, reset in roman line 32.

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Page 6, line 8, reset in roman "one (1) of whom".

Page 6, line 9, reset in roman "must be a resident of Knox County and".

(Reference is to SB 202 as printed January 26, 2024.)

GOODE

