

SENATE BILL No. 246

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.1-35.8; IC 9-18.5; IC 27-1-22-20; IC 31-26-4.5; IC 34-30-2-106.4.

Synopsis: Motor vehicle insurance for foster children. Establishes the insuring foster youth trust fund. Provides that an individual may receive the foster care tax credit for making a qualified monetary contribution to the insuring foster youth trust fund. Establishes the insuring foster youth trust license plate. Provides that insurers that apportion automobile, bodily injury liability, and property damage insurance by an agreement for applicants who are in good faith entitled to, but are unable to procure, such insurance through ordinary methods are required to provide that insurance to a foster youth who is at least 16 years of age and not more than 23 years of age. Makes conforming changes.

Effective: July 1, 2022.

Walker K

January 10, 2022, read first time and referred to Committee on Insurance and Financial Institutions.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 246

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

1 SECTION 1. IC 6-3.1-35.8-1, AS ADDED BY P.L.165-2021,
2 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 1. (a) As used in this chapter, "foster care" means
4 living in a place licensed under IC 31-27.
5 (b) As used in this chapter, "person" means an individual, a
6 corporation, a limited liability company, a partnership, or another legal
7 entity.
8 **(c) As used in this chapter, "qualifying contribution" means a**
9 **monetary payment made by a person to the insuring foster youth**
10 **trust fund established by IC 31-26-4.5-11.**
11 ~~(c)~~ **(d)** As used in this chapter, "qualifying foster care organization"
12 means an organization that meets the following qualifications:
13 (1) The organization is exempt from federal income taxes under
14 Section 501(c)(3) of the Internal Revenue Code.
15 (2) The organization provides:
16 (A) foster care prevention services and programs as required
17 by 42 U.S.C. 671; or



- 1 (B) direct assistance to individuals in the foster care system.
 2 (3) The organization spends at least fifty percent (50%) of its
 3 available revenue on qualified services to Indiana residents.
 4 (4) The organization affirms that it will continue spending at least
 5 fifty percent (50%) of its available revenue on qualified services
 6 to Indiana residents.
 7 (5) The organization provides ongoing qualified services to at
 8 least two hundred (200) Indiana residents.
 9 ~~(d)~~ (e) As used in this chapter, "state fiscal year" means a twelve
 10 (12) month period beginning on July 1 and ending on June 30.
 11 ~~(e)~~ (f) As used in this chapter, "state tax liability" means the
 12 taxpayer's total tax liability that is incurred under:
 13 (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax); and
 14 (2) IC 6-5.5 (the financial institutions tax);
 15 as computed after the application of the credits that, under
 16 IC 6-3.1-1-2, are to be applied before the credit provided by this
 17 chapter.
 18 ~~(f)~~ (g) As used in this chapter, "tax credit" means a deduction from
 19 any tax otherwise due under IC 6-3 or IC 6-5.5.
 20 SECTION 2. IC 6-3.1-35.8-2, AS ADDED BY P.L.165-2021,
 21 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2022]: Sec. 2. A person who makes a **qualifying contribution**
 23 **or a** monetary contribution to a qualifying foster care organization shall
 24 receive a tax credit as provided in section 3 of this chapter.
 25 SECTION 3. IC 6-3.1-35.8-3, AS ADDED BY P.L.165-2021,
 26 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2022]: Sec. 3. (a) Subject to the limitations provided in
 28 subsection (b) and sections 5 and 6 of this chapter, the department shall
 29 grant a tax credit against any state tax liability due equal to fifty percent
 30 (50%) of **a qualifying contribution or of** the amount of the monetary
 31 contribution by a person to a qualifying foster care organization that is
 32 approved by the department of child services under section 4(c) of this
 33 chapter.
 34 (b) The tax credit which a taxpayer receives under this chapter may
 35 not exceed ten thousand dollars (\$10,000) for any taxable year of the
 36 taxpayer.
 37 (c) If a person that is:
 38 (1) exempt from adjusted gross income tax (IC 6-3-1 through
 39 IC 6-3-7) under IC 6-3-2-2.8(2); or
 40 (2) a partnership;
 41 does not have any tax liability against which the credit provided by this
 42 section may be applied, a shareholder or a partner of the business firm



1 is entitled to a credit against the shareholder's or partner's liability
2 under the adjusted gross income tax.

3 (d) The amount of the tax credit provided by this section under
4 subsection (c) is equal to:

5 (1) the tax credit determined for the business firm for the taxable
6 year under subsection (a); multiplied by

7 (2) the percentage of the business firm's distributive income to
8 which the shareholder or the partner is entitled.

9 The tax credit provided by this section is in addition to any credit to
10 which a shareholder or partner is otherwise entitled under this chapter.
11 However, a business firm and a shareholder or partner of that business
12 firm may not claim a credit under this chapter for the same **qualifying**
13 **contribution or** monetary contribution to a qualifying foster care
14 organization.

15 SECTION 4. IC 6-3.1-35.8-4, AS ADDED BY P.L.165-2021,
16 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2022]: Sec. 4. (a) Any business firm or person that desires to
18 claim a tax credit as provided in this chapter shall file with the
19 department, in the form that the department may prescribe, an
20 application stating the amount of the contribution or investment that it
21 proposes to make that would qualify for a tax credit, and the amount
22 sought to be claimed as a credit.

23 (b) The department shall promptly notify an applicant whether, or
24 the extent to which, the tax credit is allowable in the state fiscal year in
25 which the application is filed, as provided in section 5 of this chapter.
26 If the credit is allowable in that state fiscal year, the applicant shall
27 within thirty (30) days after receipt of the notice file with the
28 department a statement, in the form and accompanied by the proof of
29 payment as the department may prescribe, setting forth that the amount
30 to be claimed as a credit under this chapter **is a qualifying**
31 **contribution or** has been paid to a qualifying foster care organization
32 for an approved program or purpose, or permanently set aside in a
33 special account to be used solely for an approved program or purpose.

34 (c) The department may disallow any credit claimed under this
35 chapter for which the statement or proof of payment is not filed within
36 the thirty (30) day period. An organization must apply to the
37 department of child services for approval as a qualifying foster care
38 organization for purposes of this chapter. The department of child
39 services shall approve each organization applicant that is a qualifying
40 foster care organization as defined in section ~~1(c)~~ **1(d)** of this chapter
41 and provide a list of each approved organization annually to the
42 department before July 1 of each year.



1 SECTION 5. IC 9-18.5-2-1, AS AMENDED BY P.L.29-2021,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 1. (a) A person may apply to the bureau for a
 4 personalized license plate to display on the person's vehicle.

5 (b) The following license plates may be designed as a personalized
 6 license plate under this chapter:

- 7 (1) IC 9-18.5-4 (prisoner of war license plates).
- 8 (2) IC 9-18.5-5 (disabled Hoosier veteran license plates).
- 9 (3) IC 9-18.5-6 (Purple Heart license plates).
- 10 (4) IC 9-18.5-7 (National Guard license plates).
- 11 (5) IC 9-18.5-8 (license plates for persons with disabilities).
- 12 (6) IC 9-18.5-9 (amateur radio operator license plates).
- 13 (7) IC 9-18.5-10 (civic event license plates).
- 14 (8) IC 9-18.5-11 (In God We Trust license plates).
- 15 (9) IC 9-18.5-12 (special group recognition license plates).
- 16 (10) IC 9-18.5-13 (environmental license plates).
- 17 (11) IC 9-18.5-14 (kids first trust license plates).
- 18 (12) IC 9-18.5-15 (education license plates).
- 19 (13) IC 9-18.5-16 (Indiana FFA trust license plates).
- 20 (14) IC 9-18.5-17 (Indiana firefighter license plates).
- 21 (15) IC 9-18.5-18 (Indiana boy scouts trust license plates).
- 22 (16) IC 9-18.5-19 (D.A.R.E. Indiana trust license plates).
- 23 (17) IC 9-18.5-20 (Indiana arts trust license plates).
- 24 (18) IC 9-18.5-21 (Indiana health trust license plates).
- 25 (19) IC 9-18.5-22 (Indiana Native American trust license plates).
- 26 (20) IC 9-18.5-24 (Pearl Harbor survivor license plates).
- 27 (21) IC 9-18.5-25 (Indiana state educational institution trust
 28 license plates).
- 29 (22) IC 9-18.5-26 (Lewis and Clark expedition license plates).
- 30 (23) IC 9-18.5-27 (Riley Children's Foundation license plates).
- 31 (24) IC 9-18.5-28 (National Football League franchised
 32 professional football team license plates).
- 33 (25) IC 9-18.5-29 (Hoosier veteran license plates).
- 34 (26) IC 9-18.5-30 (support our troops license plates).
- 35 (27) IC 9-18.5-31 (Abraham Lincoln's boyhood home license
 36 plates).
- 37 (28) IC 9-18.5-32 (Earlham College Trust license plates).
- 38 (29) IC 9-18.5-33 (Indiana Gold Star family member license
 39 plates).
- 40 (30) IC 9-18.5-35 (Armed Forces Expeditionary Medal license
 41 plates).
- 42 **(31) IC 9-18.5-37 (insuring foster youth trust license plates).**



- 1 ~~(31)~~ **(32)** A license plate issued under IC 9-18 (before its
2 expiration) or IC 9-18.1.
- 3 SECTION 6. IC 9-18.5-37 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]:
- 6 **Chapter 37. Insuring Foster Youth Trust License Plates**
- 7 **Sec. 1. The bureau shall design and issue an insuring foster**
8 **youth trust license plate. The insuring foster youth trust license**
9 **plate shall be designed and issued as a special group recognition**
10 **license plate under IC 9-18.5-12. The final design of the plate must**
11 **be approved by the board (as defined in IC 31-26-4.5-2).**
- 12 **Sec. 2. An insuring foster youth trust license plate designed**
13 **under IC 9-18.5-12 must include the following:**
- 14 (1) A basic design for the plate, with consecutive numbers or
15 letters, or both, to properly identify the vehicle.
- 16 (2) A background design, an emblem, or colors that designate
17 the license plate as an insuring foster youth trust license plate.
- 18 (3) Any other information the bureau considers necessary.
- 19 **Sec. 3. A person that is eligible to register a vehicle under this**
20 **title is eligible to receive an insuring foster youth trust license plate**
21 **under this chapter upon doing the following:**
- 22 (1) Completing an application for an insuring foster youth
23 trust license plate.
- 24 (2) Paying the appropriate fees under section 4 of this chapter.
- 25 **Sec. 4. (a) The fees for an insuring foster youth trust license**
26 **plate are as follows:**
- 27 (1) An annual supplemental fee of fifteen dollars (\$15) under
28 IC 9-18.5-12-16.
- 29 (2) An annual fee of not more than twenty-five dollars (\$25)
30 as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).
- 31 (b) The annual fee referred to in subsection (a)(2) shall be
32 collected by the commission and deposited with the treasurer of
33 state in a special account. The bureau shall distribute at least one
34 (1) time each month the money in the special account to the
35 insuring foster youth trust fund established by IC 31-26-4.5-11.
- 36 **Sec. 5. (a) This section applies only to a license plate issued**
37 **under IC 9-18-3-5(b) (before its expiration) or IC 9-18.1-9-4.**
- 38 (b) A municipal corporation (as defined in IC 36-1-2-10) that
39 registers a vehicle under this title is eligible to receive an insuring
40 foster youth trust license plate under this chapter.
- 41 (c) If an officer or employee of a municipal corporation requests
42 an insuring foster youth trust license plate for a vehicle that is



1 assigned to or customarily used by the officer or employee, the
 2 officer or employee is responsible for paying the annual fee for the
 3 insuring foster youth trust license plate under section 4(a)(2) of this
 4 chapter, the annual supplemental fee under section 4(a)(1) of this
 5 chapter, and all applicable annual registration fees under IC 9-18
 6 (before its expiration), IC 9-18.1, or IC 9-29 (repealed), as
 7 applicable.

8 (d) Notwithstanding subsection (c):

9 (1) an insuring foster youth trust license plate that is issued
 10 under this section; and

11 (2) all fees and taxes that have been paid to have the plate
 12 issued;

13 are considered issued to and paid by the municipal corporation
 14 that registered the vehicle for which the license plate was issued,
 15 and the municipal corporation is entitled to retain possession of the
 16 license plate.

17 SECTION 7. IC 27-1-22-20 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 20. (a) Agreements
 19 may be made among insurers with respect to the equitable
 20 apportionment among them of:

21 (1) automobile;

22 (2) bodily injury liability; and

23 (3) property damage;

24 insurance which may be afforded applicants who are in good faith
 25 entitled to but who are unable to procure such insurance through
 26 ordinary methods, and ~~such the~~ insurers may agree among themselves
 27 on the use of reasonable rate modifications for ~~such the~~ insurance, ~~such~~
 28 ~~the~~ agreements and rate modifications ~~to be~~ are subject to the terms of
 29 this chapter.

30 (b) If insurers enter into an agreement under subsection (a),
 31 then the insurance must be made available to a foster youth who is
 32 at least sixteen (16) years of age and not more than twenty-three
 33 (23) years of age, who is receiving services from the department of
 34 child services.

35 (c) For a rate modification subject to an agreement under
 36 subsection (a), an insurer under this section shall take into
 37 consideration the completion of:

38 (1) a state approved driver's license education program; and

39 (2) fifty (50) hours of approved driving practice;

40 when issuing automobile insurance to a foster youth under
 41 subsection (b).

42 (d) An applicant who is a foster youth is liable for any damages



1 caused by the applicant's operation of an automobile. A state or
 2 local government agency, foster parent, or entity providing
 3 services to the applicant under a contract or at the direction of a
 4 state or local government agency shall not be required to pay any
 5 costs associated with the automobile insurance issued under
 6 subsection (b) and shall not be liable for any damages that result
 7 from the operation of an automobile owned by the foster youth.

8 SECTION 8. IC 31-26-4.5 IS ADDED TO THE INDIANA CODE
 9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2022]:

11 **Chapter 4.5. Insuring Foster Youth Trust Program**

12 **Sec. 1. (a) The insuring foster youth trust program is established**
 13 **under this chapter to recognize that:**

14 (1) foster youth have limited access to resources as they begin
 15 to age out of the system;

16 (2) foster youth require additional resources as they begin to
 17 age out of the system to ensure a successful transition to
 18 adulthood;

19 (3) ensuring that foster youth can afford automobile
 20 insurance is paramount to the successful transition of a foster
 21 youth to adulthood; and

22 (4) providing funding to defray the cost of automobile
 23 insurance will drastically increase the chances of a successful
 24 transition of a foster youth to adulthood.

25 (b) The insuring foster youth trust program shall provide
 26 funding to:

27 (1) defray the cost of automobile insurance coverage for foster
 28 youth under IC 27-1-22-20; and

29 (2) provide reimbursement for not more than forty-four (44)
 30 of the fifty (50) hours of supervised driving practice for foster
 31 youth as required by IC 27-1-22-20(c)(2).

32 (c) The insuring foster youth trust program shall provide funds
 33 toward automobile insurance coverage for foster youth from the
 34 insuring foster youth account established by section 13 of this
 35 chapter.

36 **Sec. 2. As used in this chapter, "board" refers to the insuring**
 37 **foster youth trust fund board established by section 5 of this**
 38 **chapter.**

39 **Sec. 3. As used in this chapter, "foster youth" refers to an**
 40 **individual currently receiving services from the department who**
 41 **is at least sixteen (16) years of age and not more than twenty-three**
 42 **(23) years of age.**



1 **Sec. 4.** As used in this chapter, "fund" refers to the insuring
2 foster youth trust fund established by section 11 of this chapter.

3 **Sec. 5. (a)** The insuring foster youth trust fund board is
4 established.

5 **(b)** The purpose of the board is to review applications and
6 approve payments to foster youth to:

7 **(1)** defray the cost of automobile insurance coverage under
8 IC 27-1-22-20; and

9 **(2)** approve reimbursements for not more than forty-four (44)
10 of the fifty (50) hours of supervised driving practice required
11 by IC 27-1-22-20(c)(2).

12 **(c)** The board may employ staff necessary to carry out the duties
13 of the board.

14 **(d)** The board may establish a nonprofit subsidiary corporation
15 under section 16 of this chapter.

16 **Sec. 6.** The board consists of the following ten (10) members:

17 **(1)** Two (2) individuals who are not members of the general
18 assembly, appointed by the president pro tempore of the
19 senate with advice from the minority leader of the senate.

20 **(2)** Two (2) individuals who are not members of the general
21 assembly, appointed by the speaker of the house of
22 representatives with advice from the minority leader of the
23 house of representatives.

24 **(3)** The director of the department or the director's designee.

25 **(4)** The director of the department of insurance or the
26 director's designee.

27 **(5)** Four (4) individuals appointed by the governor as follows:

28 **(A)** One (1) individual who represents the general public
29 who received services from the department as a foster
30 youth.

31 **(B)** Three (3) individuals who represent foster youth
32 advocacy organizations.

33 **Sec. 7. (a)** The members shall annually choose a chairperson and
34 vice chairperson from among the members of the board under this
35 section.

36 **(b)** The director of the department or the director's designee
37 may not serve as chairperson or vice chairperson.

38 **(c)** The director of the department of insurance or the director's
39 designee may not serve as chairperson or vice chairperson.

40 **(d)** If the member chosen as chairperson was appointed as a
41 member by the president pro tempore of the senate or the speaker
42 of the house of representatives, the vice chairperson must be



1 chosen from among the members appointed by the governor. If the
2 member chosen as chairperson was appointed as a member by the
3 governor, the vice chairperson must be chosen from among the
4 members appointed by the president pro tempore of the senate or
5 the speaker of the house of representatives.

6 Sec. 8. (a) The board shall meet at least quarterly and at the call
7 of the chairperson.

8 (b) A majority of the appointed members of the board
9 constitutes a quorum. The board may take action only in the
10 presence of a quorum.

11 (c) The affirmative vote of a majority of the members of the
12 board participating in a board meeting is necessary for the board
13 to take any action at a meeting.

14 (d) The board shall post the minutes of a meeting on the board's
15 Internet web site not later than ten (10) days after the minutes are
16 approved by the board.

17 Sec. 9. (a) The term of a board member begins on the later of
18 the following:

19 (1) The day the term of the member whom the individual is
20 appointed to succeed expires.

21 (2) The day the individual is appointed.

22 (b) The term of a member expires July 1 of the fourth year after
23 the member is appointed. However, a member serves at the
24 pleasure of the appointing authority.

25 (c) The appointing authority may reappoint a member for a new
26 term.

27 (d) The appointing authority shall appoint an individual to fill
28 a vacancy among the members.

29 Sec. 10. (a) Each member of the board who is not a state
30 employee is entitled to the minimum salary per diem provided by
31 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
32 for traveling expenses as provided under IC 4-13-1-4 and other
33 expenses actually incurred in connection with the member's duties
34 as provided in the state policies and procedures established by the
35 Indiana department of administration and approved by the budget
36 agency.

37 (b) Each member of the board who is a state employee is entitled
38 to reimbursement for traveling expenses as provided under
39 IC 4-13-1-4 and other expenses actually incurred in connection
40 with the member's duties as provided in the state policies and
41 procedures established by the Indiana department of
42 administration and approved by the budget agency.



1 **Sec. 11. (a) The insuring foster youth trust fund is established to**
 2 **carry out the purposes of this chapter.**

3 **(b) The fund consists of the following:**

4 **(1) Appropriations made by the general assembly.**

5 **(2) Interest as provided in subsection (f).**

6 **(3) Fees from insuring foster youth trust license plates issued**
 7 **under IC 9-18.5-37.**

8 **(4) Money received pursuant to subsection (c).**

9 **(5) Money donated to the fund, including donations from a**
 10 **nonprofit subsidiary corporation established under section 16**
 11 **of this chapter.**

12 **(6) Money transferred to the fund from other funds.**

13 **(c) The board may apply for all federal funds that are available**
 14 **for which the state is eligible to carry out the purposes of this**
 15 **chapter.**

16 **(d) The treasurer of state shall administer the fund.**

17 **(e) The expenses of administering the fund and this chapter shall**
 18 **be paid from the fund.**

19 **(f) The treasurer of state shall invest the money in the fund not**
 20 **currently needed to meet the obligations of the fund in the same**
 21 **manner as other public trust funds are invested. Interest that**
 22 **accrues from these investments shall be deposited in the fund.**

23 **(g) An appropriation made by the general assembly to the fund**
 24 **shall be allotted and allocated at the beginning of the fiscal period**
 25 **for which the appropriation was made.**

26 **(h) Money in the fund at the end of a state fiscal year does not**
 27 **revert to the state general fund or any other fund.**

28 **(i) Subject to this chapter, there is annually appropriated to the**
 29 **department all money in the fund for the purposes of this chapter.**
 30 **However, the department may not request the allotment of money**
 31 **from the appropriation for a project that has not been approved**
 32 **and recommended by the board.**

33 **Sec. 12. (a) Money in the fund may be used to provide payments**
 34 **to foster youth who are at least sixteen (16) years of age and not**
 35 **more than twenty-three (23) years of age for the purposes set forth**
 36 **in section 5(b) of this chapter.**

37 **(b) Money in the insuring foster youth account established**
 38 **within the fund under section 13 of this chapter may be used only**
 39 **to provide payments to foster youth who are at least sixteen (16)**
 40 **years of age and not more than twenty-three (23) years of age to:**

41 **(1) defray the cost of automobile insurance; and**

42 **(2) provide reimbursements for not more than forty-four (44)**



1 of the fifty (50) hours of supervised driving practice for
2 eligible foster youth;
3 as set forth in section 5(b) of this chapter.

4 (c) Money in the fund may not be granted to a state or local unit
5 of government.

6 (d) The cost of any salary and benefits paid to staff employed
7 under this chapter:

8 (1) shall be paid from money in the fund; and

9 (2) may not exceed forty-five thousand dollars (\$45,000)
10 during any fiscal year.

11 Sec. 13. (a) The insuring foster youth account is established
12 within the fund. The account shall be administered by the treasurer
13 of state.

14 (b) Expenses of administering the account shall be paid from
15 money in the account. The account consists of the following:

16 (1) Appropriations to the account.

17 (2) Money donated to the account.

18 (c) The treasurer of state shall invest the money in the account
19 not currently needed to meet the obligations of the account in the
20 same manner as other public money may be invested. Interest that
21 accrues from these investments shall be deposited in the account.

22 (d) Money in the account at the end of a state fiscal year does
23 not revert to the state general fund.

24 Sec. 14. Before October 1 of each year, the board shall prepare
25 a report to the general assembly in an electronic format under
26 IC 5-14-6 regarding the funds received and payments made by the
27 fund.

28 Sec. 15. The department may adopt rules under IC 4-22-2 to
29 implement this chapter.

30 Sec. 16. (a) Subject to subsection (b), the board may establish a
31 nonprofit subsidiary corporation that is exempt from federal
32 income taxation under Section 501(c)(3) of the Internal Revenue
33 Code to solicit and accept private funding, gifts, donations,
34 bequests, devises, and contributions.

35 (b) The board shall study the topic of establishing a nonprofit
36 subsidiary corporation described in subsection (a). Not later than
37 December 31, 2026, the board shall submit a report to the general
38 assembly in an electronic format under IC 5-14-6 addressing the
39 board's findings and determinations under this subsection. If the
40 board determines to establish a nonprofit subsidiary corporation
41 as described in subsection (a), the report must also include an
42 implementation plan and estimated budget for the establishment



1 of the nonprofit subsidiary corporation.

2 (c) A subsidiary corporation established under this section is
 3 governed by a board of directors composed of members appointed
 4 by the board. Employees of the board may serve on the board of
 5 directors of the subsidiary corporation. A subsidiary corporation
 6 established under this section:

7 (1) shall use money received under subsection (a) to carry out,
 8 in any manner, the purposes and programs of the board;

9 (2) shall report to the budget committee each year
 10 concerning:

11 (A) the use of money received; and

12 (B) the balances in any accounts or funds established by
 13 the subsidiary corporation;

14 (3) may donate money received to the insuring foster youth
 15 trust fund; and

16 (4) may deposit money received in an account or fund that is:

17 (A) administered by the subsidiary corporation; and

18 (B) not part of the state treasury.

19 (d) The board of directors of a subsidiary corporation
 20 established under this section shall post the minutes of a meeting
 21 on the subsidiary corporation's Internet web site not later than ten
 22 (10) days after the minutes are approved by the board of directors.

23 (e) Employees of the board shall provide administrative support
 24 for a subsidiary corporation established under this section.
 25 Employees of the board directly involved in the subsidiary
 26 corporation may engage in fundraising activities on behalf of the
 27 subsidiary corporation.

28 (f) The state board of accounts shall annually audit a subsidiary
 29 corporation established under this section.

30 SECTION 9. IC 34-30-2-106.4 IS ADDED TO THE INDIANA
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2022]: **Sec. 106.4. IC 27-1-22-20 (Concerning**
 33 **the department of insurance, and liability of a state or local**
 34 **government agency, foster parent, or entity providing services to**
 35 **a foster youth for costs and damages associated with the foster**
 36 **youth's application for automobile insurance).**

