

# SENATE BILL No. 251

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-28-44.

**Synopsis:** Call center worker and consumer protection. Requires the Indiana economic development corporation (IEDC) to compile a list of all employers that relocate a call center to a foreign country and to disqualify employers on that list from state grants, loans, and tax credits. Requires an employer receiving a state grant, loan, or tax credit to notify the IEDC if the employer intends to relocate a call center. Requires, for all contracts entered into on or after July 1, 2024, that all call center or customer service work for the state be performed entirely within Indiana.

**Effective:** July 1, 2024.

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## Niezgodski

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January 11, 2024, read first time and referred to Committee on Pensions and Labor.

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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. 251

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-28-44 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]:

4 **Chapter 44. Consumer Call Center Employee Protection**

5 **Sec. 1. As used in this chapter, "employer" means a business**  
6 **that employs, for the purpose of customer service or back-office**  
7 **operations, either of the following:**

8 (1) **Fifty (50) or more individuals, excluding part-time**  
9 **employees.**

10 (2) **Fifty (50) or more individuals who, in the aggregate, work**  
11 **at least one thousand five hundred (1,500) hours each week**  
12 **for the employer, not including overtime hours.**

13 **Sec. 2. As used in this chapter, "grant" has the meaning set**  
14 **forth in IC 5-28-28-2.**

15 **Sec. 3. As used in this chapter, "loan" has the meaning set forth**  
16 **in IC 5-28-28-3.**

17 **Sec. 4. As used in this chapter, "part-time employee" means an**



1 individual employed by an employer for an average of fewer than  
2 twenty (20) hours each week or for fewer than six (6) of the twelve  
3 (12) months before the date on which a determination is made.

4 **Sec. 5.** As used in this chapter, "tax credit" has the meaning set  
5 forth in IC 5-28-28-4.

6 **Sec. 6. (a)** An employer that intends to relocate either of the  
7 following from Indiana to a foreign country shall notify the  
8 secretary of commerce at least one hundred twenty (120) days  
9 before the relocation:

10 (1) A call center.

11 (2) One (1) or more facilities or operating units within a call  
12 center comprising at least thirty percent (30%) of the call  
13 center's total volume when measured against the previous  
14 twelve (12) month average call volume of operations.

15 (b) If an employer fails to provide the notice under subsection  
16 (a), the employer is ineligible to receive from the state any grant,  
17 loan, or tax credit until seven (7) years after the date on which the  
18 employer relocated the operation or facility described in subsection  
19 (a).

20 **Sec. 7. (a)** Beginning July 1, 2024, and every six (6) months  
21 thereafter, the corporation shall compile a list of every employer  
22 that has relocated an operation or facility described in section  
23 6(a)(1) or 6(a)(2) of this chapter.

24 (b) The corporation shall include on the list the name of the  
25 employer and the date on which the call center or facility was  
26 relocated.

27 (c) The corporation shall immediately notify each state agency  
28 that is providing the employer with any grant, loan, or tax credit.

29 (d) The corporation shall include the list in the economic  
30 incentives and compliance report required by IC 5-28-28.

31 **Sec. 8. (a)** Except as provided in subsection (c), an employer that  
32 appears on a list compiled by the corporation under section 7 of  
33 this chapter is ineligible to receive from the state any grant, loan,  
34 or tax credit until five (5) years after the date on which the  
35 employer relocated the operation or facility described in section  
36 6(a)(1) or 6(a)(2) of this chapter.

37 (b) Except as provided in subsection (c), if an employer appears  
38 on a list compiled under section 7 of this chapter, the corporation  
39 shall recapture from the employer an amount equal to the  
40 unamortized value of any grant, loan, or tax credit that the  
41 employer has received from the state after June 30, 2024. The  
42 employer shall pay the recapture amount to the corporation within



1 thirty (30) days after receiving the recapture demand.

2 (c) The corporation may waive the ineligibility to receive from  
3 the state any grant, loan, or tax credit under subsection (a) if the  
4 employer applying for the grant, loan, or tax credit demonstrates  
5 that one (1) or more of the following will occur if the grant, loan,  
6 or tax credit is not provided:

7 (1) Substantial job loss in Indiana.

8 (2) Harm to the environment.

9 (3) A significant economic impact to Indiana.

10 Sec. 9. (a) This section applies to contracts entered into on or  
11 after July 1, 2024.

12 (b) Each state agency within the executive department shall  
13 ensure that all call center and customer service work performed  
14 for the agency is performed entirely within Indiana.

15 (c) A contractor that performs call center or customer service  
16 work for the state shall not hire an individual to perform that work  
17 at a location outside Indiana.

18 (d) Beginning July 1, 2026, every individual employed by a  
19 contractor to perform call center or customer service work for the  
20 state shall perform that work within Indiana.

21 Sec. 10. This chapter does not permit withholding or denial of  
22 payments, compensation, or benefits to employees.

