



February 15, 2021

HOUSE BILL No. 1001

DIGEST OF HB 1001 (Updated February 15, 2021 9:38 am - DI 125)

Citations Affected: IC 4-9.1; IC 4-12; IC 4-13.1; IC 4-31; IC 4-33; IC 5-2; IC 5-10.5; IC 5-11; IC 5-28; IC 6-1.1; IC 6-2.5; IC 6-3; IC 6-3.1; IC 6-6; IC 6-7; IC 6-8.1; IC 7.1-4; IC 8-15.5; IC 8-15.7; IC 8-23; IC 12-15; IC 12-16; IC 12-17.2; IC 16-21; IC 16-28; IC 20-20; IC 20-24; IC 20-25.7; IC 20-26; IC 20-36; IC 20-43; IC 20-51; IC 20-51.4; IC 21-18.5; IC 33-34; IC 33-37; IC 33-38; IC 35-52; IC 36-7.6; noncode.

Synopsis: State budget. Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Replaces the governor with the budget director or the budget director's designee on the state board of finance. Renames the personal services/fringe benefits contingency fund as the budget agency contingency fund (fund). Adds the following authorized fund uses: (1) Emergency capital project expenses. (2) Necessary expenses for existing programs as determined by the governor and budget director. Removes a provision that prevents transfers from the fund for other purposes. Requires the budget committee to be advised of each transfer from the fund that exceeds \$500,000. Replaces the state librarian with
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Effective: Upon passage; January 1, 2021 (retroactive); June 29, 2021; July 1, 2021; January 1, 2022.

Brown T, Porter, Cherry, Sullivan

January 14, 2021, read first time and referred to Committee on Ways and Means.
February 15, 2021, amended, reported—Do Pass.

HB 1001—LS 7431/DI 120



the budget director as a member of the enhanced access fee committee. Transfers the operations of the Indiana department of gaming research into a newly established gaming research division of the Indiana gaming commission. Repeals the exoneration fund. Provides that any money remaining in the fund is transferred to the state general fund. Replaces the director of the budget agency with the director of the office of management and budget as an ex officio voting member of the board of trustees of the Indiana public retirement system. Removes the annual appropriation provision for the examinations fund of the state board of accounts. Replaces the state superintendent of public instruction with the secretary of education or the secretary's designee as a member of the distressed unit appeal board. Amends the venture capital investment tax credit to apply to taxpayers that provide qualified investment capital to certain qualified Indiana investment funds (qualified fund). Provides that the Indiana economic development corporation (IEDC) may only certify a fund as a qualified fund if the fund meets the definition of a venture capital fund under federal regulations and the fund makes investments according to specified policy requirements and priorities. Provides that a taxpayer may not claim a credit certified with regard to a qualified fund before July 1, 2023. Specifies the maximum available tax credits in a calendar year with regard to a qualified fund. Increases the maximum available tax credits in a calendar year with regard to qualified Indiana businesses under current law, including an additional increase in the maximum amount if the qualified Indiana business is a minority business enterprise or a women's business enterprise. Caps the total amount of credits that the IEDC may award in a calendar year at \$20,000,000, provided that not more than \$7,500,000 is awarded for proposed investments in a qualified fund. Provides that, beginning July 1, 2021, all aviation fuel excise tax revenue is transferred to the airport development grant fund (under current law, 50% of the aviation fuel excise tax revenue is transferred to the general fund and 50% is transferred to the airport development grant fund). Adjusts the distributions from the excise fund to increase the amount transferred to the enforcement and administration fund and correspondingly decrease the amount transferred to the state general fund. Clarifies the equal opportunity procurement and contracting requirements for certain projects. Removes the sunset of provisions regarding public-private agreements that provide that legislative approval is not required to impose tolls on certain projects. Specifies that, except for those certain projects, the general assembly must enact authorizing legislation before the Indiana department of transportation (INDOT), the Indiana finance authority (IFA), or an operator may enter into public-private agreements that impose user fees on motor vehicles for use on highways and roads in existence or under construction on July 1, 2011. Provides that the IFA must be a party to any public-private agreement that requires payments to be made to an operator after the operator receives final payment for construction. Specifies the IFA's bonding authority for public-private partnership projects. Removes annual budget committee review of the distribution formula established by INDOT for the public mass transportation fund. Extends the expiration of the hospital assessment fee and the quality assessment fee from June 30, 2021, to June 30, 2023. Removes a provision that prevents unused money appropriated to the department of education for the advanced placement program from reverting to the state general fund. Provides that any increase in the maximum higher education award and freedom of choice award by the commission for higher education is subject to approval by the budget agency. (Under current law, the commission's annual determination of the maximum awards is subject to approval by the budget agency with review by the budget committee.) Requires

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money from judicial insurance adjustment fees to be deposited in the state general fund. Appropriates amounts for defeasing bonds. Allows the budget agency to augment the county jail maintenance contingency fund appropriation from the state general fund for the 2020-2021 state fiscal year by an amount necessary to cover jail and parole holds. Specifies the uses for the augmented amount. Allows the horse racing commission to authorize a permit holder to conduct more than 14 races on one racing day. Allows a permit holder to conduct pari-mutuel wagering at the permit holder's racetrack or satellite facility on certain horse races that are conducted during a time when the permit holder's facility is not open. Provides that unexpended and unencumbered amounts appropriated to the legislative services agency in a state fiscal year ending before July 1, 2022, do not revert to the state general fund. Increases the Medicaid reimbursement rate for certain services delivered by a direct care staff. Requires an authorized service provider to use at least 85% (instead of 75%) of the reimbursement rate increase to pay payroll tax liabilities and to increase wages and benefits paid to direct care staff. Increases the tax credit that a taxpayer can claim for contributions made to a scholarship granting organization. Phases in increases to the household income percentage required to qualify as an eligible student for purposes of a scholarship granting organization. Increases the amount of a grant under the charter and innovation network school grant program. Extends the expiration date for funding of certain charter schools for adults. Repeals the deposit of a part of the wine excise tax rate collected on each gallon of wine in the wine grape market development fund and requires the department of state revenue to instead deposit that part of the wine excise tax in the state general fund. Increases the cigarette tax to \$1.50 per pack of regular size cigarettes and a corresponding increase for larger cigarettes. Makes corresponding adjustments to the distribution percentages of revenue received from imposition of the cigarette tax. Changes the definition of "Internal Revenue Code" in the adjusted gross income tax law to mean the Internal Revenue Code of 1986 as amended and in effect on January 1, 2021. Provides that in the case of an amendment to a federal statute that is made outside of Title 26 of the United States Code and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes, the federal statute shall be considered to be part of the Internal Revenue Code as amended and in effect on January 1, 2021. Imposes an excise tax, known as the electronic cigarette tax, on the retail sale of vapor products and consumable material in Indiana. Provides that the excise tax equals 10% of the gross retail income received by the retail dealer for the sale. Defines "vapor product". Defines "consumable material". Requires a retail dealer to obtain an electronic cigarette retail dealer's certificate from the department of state revenue (in addition to a retail merchant's certificate). Deposits the revenue from the excise tax in the state general fund. Establishes the next level regional recovery fund to provide grants and loans to support economic development and regional recovery. Provides that the IEDC administers the next level regional recovery fund. Provides that the board of the IEDC may review applications for grants and loans from the next level regional recovery fund. Requires the IEDC to establish a policy for the next level regional recovery initiative. Requires that the February count of a school corporation's average daily membership (ADM) must be increased by the number of students who, during the preceding school year: (1) were enrolled in the school corporation on the September ADM count day; (2) completed graduation requirements before the February ADM count day; and (3) were not enrolled in the school corporation on the February ADM count day. Establishes the Indiana

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Digest Continued

education scholarship account program (program). Requires the treasurer of state to establish an application date by which a parent of an eligible student or an emancipated eligible student may establish an account in the program. Defines an eligible student as: (1) a student with a disability who requires special education; (2) a student with a parent who is on active duty service in the armed forces of the United States or national guard; or (3) a student placed in foster care or otherwise under care and supervision of the department of child services. Provides that an eligible student who has an account and attends a qualified school is eligible to receive an annual grant amount that may be used to pay for tuition at an accredited nonpublic school or education related expenses. Provides that the treasurer of state shall administer the program. Provides a deduction from Indiana adjusted gross income for a grant amount that is distributed to a taxpayer's account and used for a qualified expense, to the extent the distribution is included in the taxpayer's federal adjusted gross income. Changes the eligibility requirements to receive choice scholarships. Makes changes to the amount of tuition an eligible choice scholarship student is entitled to receive to attend a choice scholarship school. Establishes the Indiana education scholarship account program advisory council to provide guidance on the implementation of the program as well as to provide recommendations for program improvements to the treasurer of state and to the general assembly. Repeals provisions that provide eligibility to certain students if the student's household income increases. Provides that the department of education shall provide services that offer objective advice upon request to parents of an eligible student or an emancipated eligible student relating to services that can help meet the eligible student's or emancipated eligible student's particular needs. Makes corresponding changes.



February 15, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1001

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

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

1 SECTION 1. [EFFECTIVE JULY 1, 2021]

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(a) The following definitions apply throughout this act:

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(1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.

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(2) "Biennium" means the period beginning July 1, 2021, and ending June 30, 2023. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.

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(3) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.

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(4) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.

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(5) "Federally qualified health center" means a community health center that is designated by the Health Resources Services Administration, Bureau of Primary Health Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated Health Center Program authorization, including Community Health Center (330e), Migrant Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary

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HB 1001—LS 7431/DI 120



- 1 Care (330i), and School Based Health Centers (330).
2 (6) "Other operating expense" includes payments for "services other than personal",
3 "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds,
4 and awards", "in-state travel", "out-of-state travel", and "equipment".
5 (7) "Pension fund contributions" means the state of Indiana's contributions to a
6 specific retirement fund.
7 (8) "Personal services" includes payments for salaries and wages to officers and
8 employees of the state (either regular or temporary), payments for compensation
9 awards, and the employer's share of Social Security, health insurance, life insurance,
10 dental insurance, vision insurance, deferred compensation - state match, leave
11 conversion, disability, and retirement fund contributions.
12 (9) "SSBG" means the Social Services Block Grant. This was formerly referred to
13 as "Title XX".
14 (10) "State agency" means:
15 (A) each office, officer, board, commission, department, division, bureau, committee,
16 fund, agency, authority, council, or other instrumentality of the state;
17 (B) each hospital, penal institution, and other institutional enterprise of the
18 state;
19 (C) the judicial department of the state; and
20 (D) the legislative department of the state.
21 However, this term does not include cities, towns, townships, school cities, school
22 townships, school districts, other municipal corporations or political subdivisions
23 of the state, or universities and colleges supported in whole or in part by state
24 funds.
25 (11) "State funded community health center" means a public or private not for profit
26 (501(c)(3)) organization that provides comprehensive primary health care services to
27 all age groups.
28 (12) "Total operating expense" includes payments for both "personal services" and
29 "other operating expense".
30 (b) The state board of finance may authorize advances to boards or persons having
31 control of the funds of any institution or department of the state of a sum of
32 money out of any appropriation available at such time for the purpose of establishing
33 working capital to provide for payment of expenses in the case of emergency when
34 immediate payment is necessary or expedient. Advance payments shall be made by
35 warrant by the auditor of state, and properly itemized and receipted bills or invoices
36 shall be filed by the board or persons receiving the advance payments.
37 (c) All money appropriated by this act shall be considered either a direct appropriation
38 or an appropriation from a rotary or revolving fund.
39 (1) Direct appropriations are subject to withdrawal from the state treasury and for
40 expenditure for such purposes, at such time, and in such manner as may be prescribed
41 by law. Direct appropriations are not subject to return and rewithdrawal from the
42 state treasury, except for the correction of an error which may have occurred in
43 any transaction or for reimbursement of expenditures which have occurred in the
44 same fiscal year.
45 (2) A rotary or revolving fund is any designated part of a fund that is set apart
46 as working capital in a manner prescribed by law and devoted to a specific purpose
47 or purposes. The fund consists of earnings and income only from certain sources
48 or combination of sources. The money in the fund shall be used for the purpose designated
49 by law as working capital. The fund at any time consists of the original appropriation



1 to the fund, if any, all receipts accrued to the fund, and all money withdrawn from
 2 the fund and invested or to be invested. The fund shall be kept intact by separate
 3 entries in the auditor of state's office, and no part of the fund shall be used
 4 for any purpose other than the lawful purpose of the fund or revert to any other
 5 fund at any time. However, any unencumbered excess above any prescribed amount may
 6 be transferred to the state general fund at the close of each fiscal year unless
 7 otherwise specified in the Indiana Code.
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9 **SECTION 2. [EFFECTIVE JULY 1, 2021]**

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 11 For the conduct of state government, its offices, funds, boards, commissions,
 12 departments, societies, associations, services, agencies, and undertakings, and
 13 for other appropriations not otherwise provided by statute, the following sums
 14 in SECTIONS 3 through 10 are appropriated for the periods of time designated
 15 from the general fund of the state of Indiana or other specifically designated
 16 funds.
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18 In this act, whenever there is no specific fund or account designated, the
 19 appropriation is from the general fund.
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21 **SECTION 3. [EFFECTIVE JULY 1, 2021]**

22
 23 **GENERAL GOVERNMENT**

24
 25 **A. LEGISLATIVE**

26
 27 **FOR THE GENERAL ASSEMBLY**

28	LEGISLATORS' SALARIES - HOUSE		
29	Total Operating Expense	8,373,634	8,373,634
30	HOUSE EXPENSES		
31	Total Operating Expense	11,393,610	11,393,610
32	LEGISLATORS' SALARIES - SENATE		
33	Total Operating Expense	2,449,000	2,545,000
34	SENATE EXPENSES		
35	Total Operating Expense	10,259,000	11,463,000

36
 37 Included in the above appropriations for house and senate expense are funds for a legislative
 38 business per diem allowance, meals, and other usual and customary expenses associated
 39 with legislative affairs. Each member of the house is entitled, when authorized
 40 by the speaker of the house, to the legislative business per diem allowance for every day
 41 the member is engaged in official business. The speaker shall authorize the legislative
 42 business per diem allowance to be consistent with law and house rules.

43 Each member of the senate is entitled, when authorized by the president pro tempore
 44 of the senate, to the legislative business per diem allowance for every day the member
 45 is engaged in official business. The president pro tempore of the senate shall authorize
 46 the legislative business per diem allowance to be consistent with law and senate rules.
 47

48 Each member of the general assembly is entitled, when authorized by the speaker of the
 49 house or the president pro tempore of the senate, to the legislative business per diem



1 allowance for every day the member is engaged in official business.

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3 The legislative business per diem allowance that each member of the general assembly
4 is entitled to receive equals the maximum daily amount allowable to employees of the
5 executive branch of the federal government for subsistence expenses while away from
6 home in travel status in the Indianapolis area. The legislative business per diem changes
7 each time there is a change in that maximum daily amount.

8

9 In addition to the legislative business per diem allowance, each member of the general
10 assembly shall receive the mileage allowance in an amount equal to the standard
11 mileage rates for personally owned transportation equipment established by the federal
12 Internal Revenue Service for each mile necessarily traveled from the member's usual
13 place of residence to the state capitol. However, if the member traveled by a means
14 other than by motor vehicle, and the member's usual place of residence is more than
15 one hundred (100) miles from the state capitol, the member is entitled to reimbursement
16 in an amount equal to the lowest air travel cost incurred in traveling from the
17 usual place of residence to the state capitol. During the period the general assembly
18 is convened in regular or special session, the mileage allowance shall be limited
19 to one (1) round trip each week per member.

20

21 Any member of the general assembly who is appointed by the governor, speaker of
22 the house, president or president pro tempore of the senate, house or senate minority
23 floor leader, or Indiana legislative council to serve on any research, study, or survey
24 committee or commission, or who attends any meetings authorized or convened
25 under the auspices of the Indiana legislative council, including pre-session conferences
26 and federal-state relations conferences, is entitled, when authorized by the legislative
27 council, to receive the legislative business per diem allowance for each day the
28 member is in actual attendance and is also entitled to a mileage allowance, at the
29 rate specified above, for each mile necessarily traveled from the member's usual
30 place of residence to the state capitol, or other in-state site of the committee,
31 commission, or conference. The per diem allowance and the mileage allowance permitted
32 under this paragraph shall be paid from the legislative council appropriation for
33 legislator and lay member travel unless the member is attending an out-of-state
34 meeting, as authorized by the speaker of the house of representatives or the president
35 pro tempore of the senate, in which case the member is entitled to receive:

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Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved



1 by the budget agency do not apply to members of the general assembly, to the staffs
 2 of the house of representatives, senate, or legislative services agency, or to lay members
 3 serving on research, study, or survey committees or commissions under the jurisdiction
 4 of the legislative council (if the legislative council applies its travel policies and
 5 procedures to lay members under the authority of this SECTION), except that, until
 6 the legislative council adopts travel policies and procedures, the state travel policies
 7 and procedures established by the Indiana department of administration and approved
 8 by the budget agency apply to members of the general assembly, to the staffs of the house
 9 of representatives, senate, and legislative services agency, and to lay members serving
 10 on research, study, or survey committees or commissions under the jurisdiction of the
 11 legislative council. The executive director of the legislative services agency is responsible
 12 for the administration of travel policies and procedures adopted by the legislative
 13 council. The auditor of state shall approve and process claims for reimbursement of travel
 14 related expenses under this paragraph based upon the written affirmation of the speaker
 15 of the house of representatives, the president pro tempore of the senate, or the executive
 16 director of the legislative services agency that those claims comply with the travel
 17 policies and procedures adopted by the legislative council. If the funds appropriated
 18 for the house and senate expenses and legislative salaries are insufficient to pay all
 19 the necessary expenses incurred, including the cost of printing the journals of the
 20 house and senate, there is appropriated such further sums as may be necessary to pay
 21 such expenses.

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LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	3,071,402	3,071,402
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LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,482,000	1,470,000
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area for:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader(s), \$3,500; majority floor leader emeritus, \$2,500; majority caucus chair, \$5,500; assistant majority caucus chair(s), \$1,500; appropriations committee chair, \$5,500;



1 tax and fiscal policy committee chair, \$5,500; appropriations committee ranking
 2 majority member, \$2,000; tax and fiscal policy committee ranking majority member,
 3 \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader,
 4 \$6,000; minority leader emeritus, \$1,500; minority caucus chair, \$5,000; assistant
 5 minority floor leader, \$5,000; appropriations committee ranking minority member,
 6 \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority
 7 whip(s), \$2,000; assistant minority whip, \$1,000; assistant minority caucus chair(s),
 8 \$1,000; agriculture committee chair, \$1,000; natural resources committee chair,
 9 \$1,000; public policy committee chair, \$1,000; corrections and criminal law committee
 10 chair, \$1,000; civil law committee chair, \$1,000; education and career development
 11 chair, \$1,000; elections committee chair, \$1,000; environmental affairs committee
 12 chair, \$1,000; family and children services committee chair, \$1,000; pensions and
 13 labor committee chair, \$1,000; health and provider services committee chair, \$1,000;
 14 homeland security and transportation committee chair, \$1,000; veterans affairs and
 15 the military committee chair, \$1,000; insurance and financial institutions committee
 16 chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair,
 17 \$1,000; utilities committee chair, \$1,000; commerce and technology committee chair,
 18 \$1,000; appointments and claims committee chair, \$1,000; rules and legislative procedure
 19 committee chair, \$1,000; and ethics committee chair, \$1,000. If an officer fills
 20 more than one (1) leadership position, the officer shall be paid for the higher
 21 paid position.

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 23 Officers of the house of representatives are entitled to the following amounts annually
 24 in addition to the subsistence allowance: speaker of the house, \$7,000; speaker
 25 pro tempore, \$5,000; deputy speaker pro tempore, \$2,000; majority floor leader,
 26 \$5,500; majority caucus chair, \$5,500; majority whip, \$4,000; assistant majority
 27 floor leader(s), \$3,500; assistant majority caucus chair(s), \$2,000; assistant majority
 28 whip(s), \$2,000; ways and means committee chair, \$5,500; ways and means committee
 29 vice chair, \$4,000; ways and means k-12 subcommittee chair, \$1,500; ways and means
 30 higher education subcommittee chair, \$1,500; ways and means budget subcommittee
 31 chair, \$3,000; ways and means health and human services subcommittee chair, \$1,500;
 32 ways and means local government subcommittee chair, \$1,500; minority leader, \$5,500;
 33 minority floor leader, \$4,500; minority caucus chair, \$4,500; minority whip, \$3,000;
 34 assistant minority leader, \$1,500; assistant minority floor leader, \$1,500; assistant
 35 minority caucus chair, \$1,500; assistant minority whip, \$1,500; ways and means committee
 36 ranking minority member, \$3,500; agriculture and rural development committee chair,
 37 \$1,000; commerce, small business, and economic development committee chair, \$1,000;
 38 courts and criminal code committee chair, \$1,000; education committee chair, \$1,000;
 39 elections and apportionment committee chair, \$1,000; employment, labor, and pensions
 40 committee chair, \$1,000; environmental affairs committee chair, \$1,000; statutory
 41 committee on legislative ethics committee chair, \$1,000; family, children, and human
 42 affairs committee chair, \$1,000; financial institutions and insurance committee
 43 chair, \$1,000; government and regulatory reform committee chair, \$1,000; judiciary
 44 committee chair, \$1,000; local government committee chair, \$1,000; natural resources
 45 committee chair, \$1,000; public health committee chair, \$1,000; public policy committee
 46 chair, \$1,000; roads and transportation committee chair, \$1,000; rules and legislative
 47 procedures committee chair, \$1,000; utilities, energy and telecommunications committee
 48 chair, \$1,000; and veterans affairs and public safety committee chair, \$1,000. If
 49 an officer fills more than one (1) leadership position, the officer may be paid



1 for each of the paid positions.

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3 If the senate or house of representatives eliminates a committee or officer referenced
4 in this SECTION and replaces the committee or officer with a new committee or position,
5 the above appropriations for subsistence shall be used to pay for the new committee
6 or officer. However, this does not permit any additional amounts to be paid under
7 this SECTION for a replacement committee or officer than would have been spent for
8 the eliminated committee or officer. If the senate or house of representatives creates
9 a new, additional committee or officer, or assigns additional duties to an existing
10 officer, the above appropriations for subsistence shall be used to pay for the new
11 committee or officer, or to adjust the annual payments made to the existing officer,
12 in amounts determined by the legislative council.

13
14 If the funds appropriated for legislators' subsistence are insufficient to pay all the
15 subsistence incurred, there are hereby appropriated such further sums as may be
16 necessary to pay such subsistence.

17
18 **FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY**

19 Total Operating Expense	17,391,754	17,539,785
20 LEGISLATOR AND LAY MEMBER TRAVEL		
21 Total Operating Expense	600,000	700,000

22
23 Included in the above appropriations for the legislative council and legislative
24 services agency expenses are funds for usual and customary expenses associated with
25 legislative services.

26
27 If the funds above appropriated for the legislative council and the legislative
28 services agency and for legislator and lay member travel are insufficient to pay
29 all the necessary expenses incurred, there are hereby appropriated such further
30 sums as may be necessary to pay those expenses.

31
32 Any person other than a member of the general assembly who is appointed by
33 the governor, speaker of the house, president or president pro tempore of the
34 senate, house or senate minority floor leader, or legislative council to serve
35 on any research, study, or survey committee or commission is entitled, when
36 authorized by the legislative council, to a per diem instead of subsistence
37 of \$75 per day during the biennium. In addition to the per diem,
38 such a person is entitled to mileage reimbursement, at the rate specified for
39 members of the general assembly, for each mile necessarily traveled from the
40 person's usual place of residence to the state capitol or other in-state site
41 of the committee, commission, or conference. However, reimbursement for any
42 out-of-state travel expenses claimed by lay members serving on research, study,
43 or survey committees or commissions under the jurisdiction of the legislative
44 council shall be based on SECTION 14 of this act, until the legislative council
45 applies those travel policies and procedures that govern legislators and their staffs
46 to such lay members as authorized elsewhere in this SECTION. The allowance
47 and reimbursement permitted in this paragraph shall be paid from the legislative
48 council appropriations for legislative and lay member travel unless otherwise
49 provided for by a specific appropriation.



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2 **Included in the above appropriations for the legislative council and legislative**
3 **services agency are funds for the printing and distribution of documents**
4 **published by the legislative council, including journals, bills, resolutions,**
5 **enrolled documents, the acts of the first and second regular sessions of the 122nd**
6 **general assembly, the supplements to the Indiana Code for the biennium and**
7 **the publication of the Indiana Administrative Code and the Indiana Register. Upon**
8 **completion of the distribution of the Acts and the supplements to the Indiana Code,**
9 **as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically**
10 **determined by the legislative council. If the above appropriations for the printing**
11 **and distribution of documents published by the legislative council are insufficient**
12 **to pay all of the necessary expenses incurred, there are hereby appropriated such**
13 **sums as may be necessary to pay such expenses.**

14
15 **TECHNOLOGY INFRASTRUCTURE, SOFTWARE AND SERVICES**

16 Other Operating Expense	4,836,800	3,883,458
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17
18 **If the above appropriations for technology infrastructure, software, and services**
19 **are insufficient to pay all of the necessary expenses incurred, there are hereby**
20 **appropriated such sums as may be necessary to pay such expenses, including state**
21 **video streaming services and legislative closed captioning services. The above appropriations**
22 **or any part thereof remaining unexpended and unencumbered at the close of any fiscal**
23 **year remain available for expenditure until the earlier of June 30, 2025, or the**
24 **purposes for which the appropriations were made are accomplished or abandoned. If**
25 **any part of the appropriations have not been allotted or encumbered before the expiration**
26 **of the biennium, the personnel subcommittee of the legislative council may determine**
27 **that any part of the balance of the appropriations may be reverted to the state**
28 **general fund.**

29
30 **The legislative services agency shall charge the following fees, unless the**
31 **legislative council sets these or other fees at different rates:**

32
33 **Annual subscription to the session document service for sessions ending in**
34 **odd-numbered years: \$900**

35
36 **Annual subscription to the session document service for sessions ending in**
37 **even-numbered years: \$500**

38
39 **Per page charge for copies of legislative documents: \$0.15**

40
41 **NATIONAL ASSOCIATION DUES**

42 Other Operating Expense	589,537	609,975
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43
44 **FOR THE COMMISSION ON UNIFORM STATE LAWS**

45 Total Operating Expense	97,811	87,428
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46
47 **FOR THE INDIANA LOBBY REGISTRATION COMMISSION**

48 Total Operating Expense	362,273	399,238
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1 **FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**
2 **LEGISLATORS' RETIREMENT FUND**
3 **Total Operating Expense** 182,512 182,512

4
5 **B. JUDICIAL**

6
7 **FOR THE SUPREME COURT**
8 **Personal Services** 14,443,945 14,443,945
9 **Other Operating Expense** 4,956,660 4,956,660

10
11 **The above appropriation for the supreme court personal services includes the subsistence**
12 **allowance as provided by IC 33-38-5-8.**

13
14 **LOCAL JUDGES' SALARIES**
15 **Total Operating Expense** 75,897,094 75,897,094
16 **COUNTY PROSECUTORS' SALARIES**
17 **Total Operating Expense** 30,017,552 30,017,552

18
19 **The above appropriations for county prosecutors' salaries represent the amounts**
20 **authorized by IC 33-39-6-5.**

21
22 **SUPREME COURT TITLE IV-D**
23 **Total Operating Expense** 1,950,000 1,950,000
24 **TRIAL COURT OPERATIONS**
25 **Total Operating Expense** 1,246,075 1,246,075

26
27 **Of the above appropriations, \$500,000 each fiscal year is for court interpreters.**

28
29 **INDIANA COURT TECHNOLOGY**
30 **Total Operating Expense** 3,000,000 3,000,000
31 **Court Technology Fund (IC 33-24-6-12)**
32 **Total Operating Expense** 14,588,380 14,588,380
33 **Augmentation allowed.**

34 **INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY**
35 **Total Operating Expense** 778,750 778,750

36
37 **The above funds are appropriated to the Office of Judicial Administration in**
38 **lieu of the appropriation made by IC 33-24-13-7.**

39
40 **GUARDIAN AD LITEM**
41 **Total Operating Expense** 6,337,810 6,337,810

42
43 **The Office of Judicial Administration shall use the above appropriations to**
44 **administer an office of guardian ad litem and court appointed special advocate**
45 **services and to provide matching funds to counties that are required to implement,**
46 **in courts with juvenile jurisdiction, a guardian ad litem and court appointed special**
47 **advocate program for children who are alleged to be victims of child abuse or neglect**
48 **under IC 31-33 and to administer the program. A county may use these matching funds**
49 **to supplement amounts collected as fees under IC 31-40-3 to be used for the operation**



1 of guardian ad litem and court appointed special advocate programs. The county fiscal
 2 body shall appropriate adequate funds for the county to be eligible for these matching
 3 funds.

ADULT GUARDIANSHIP		
Total Operating Expense	1,500,000	1,500,000

8 The above appropriations are for the administration of the office of adult guardianship
 9 and to provide matching funds to county courts with probate jurisdiction that implement
 10 and administer programs for volunteer advocates for seniors and incapacitated adults
 11 who are appointed a guardian under IC 29. Volunteer advocates for seniors and incapacitated
 12 adults programs shall provide a match of 50% of the funds appropriated by the division
 13 of state court administration of which up to half may be an in-kind match and the
 14 remainder must be county funds or other local county resources. Only programs certified
 15 by the supreme court are eligible for matching funds. The above appropriations include
 16 funds to maintain an adult guardianship registry to serve as a data repository for
 17 adult guardianship cases and guardians appointed by the courts.

CIVIL LEGAL AID		
Total Operating Expense	1,500,000	1,500,000

22 The above appropriations include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS		
Total Operating Expense	149,000	149,000

27 If the funds appropriated above for special judges of county courts are insufficient
 28 to pay all of the necessary expenses that the state is required to pay under IC
 29 34-35-1-4, there are hereby appropriated such further sums as may be necessary to
 30 pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS		
Total Operating Expense	380,996	380,996

INTERSTATE COMPACT FOR ADULT OFFENDERS		
Total Operating Expense	236,180	236,180

PROBATION OFFICERS TRAINING		
Total Operating Expense	750,000	750,000

VETERANS PROBLEM-SOLVING COURT		
Total Operating Expense	1,000,000	1,000,000

DRUG AND ALCOHOL PROGRAMS FUND		
Total Operating Expense	100,000	100,000

FOR THE PUBLIC DEFENDER COMMISSION		
Total Operating Expense	25,720,000	25,720,000

Public Defense Fund (IC 33-40-6)		
Total Operating Expense	7,400,000	7,400,000

48 The above appropriation is made in addition to the distribution authorized by IC
 49 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services



1 provided to a defendant. Administrative costs may be paid from the public defense
 2 fund. Any balance in the public defense fund is appropriated to the public defender
 3 commission. Of the above appropriations, \$1,000,000 each year is for the public
 4 defense of the parents of children in need of services.

5
 6 **FOR THE COURT OF APPEALS**

7 Personal Services	11,140,624	11,140,624
8 Other Operating Expense	1,593,452	1,593,452

9
 10 The above appropriations for the court of appeals personal services include the
 11 subsistence allowance provided by IC 33-38-5-8.

12
 13 **FOR THE TAX COURT**

14 Personal Services	760,834	760,834
15 Other Operating Expense	154,249	154,249

16
 17 **FOR THE PUBLIC DEFENDER**

18 Personal Services	6,736,625	6,736,625
19 Other Operating Expense	762,318	762,318

20
 21 **FOR THE PUBLIC DEFENDER COUNCIL**

22 Personal Services	1,405,856	1,405,856
23 Other Operating Expense	300,589	300,589

24
 25 **FOR THE PROSECUTING ATTORNEYS' COUNCIL**

26 Personal Services	1,117,170	1,117,170
27 Other Operating Expense	136,660	136,660

28 **DRUG PROSECUTION**

29 Drug Prosecution Fund (IC 33-39-8-6)		
30 Total Operating Expense	221,709	221,709
31 Augmentation allowed.		

32 **HIGH TECH CRIMES UNIT PROGRAM**

33 Total Operating Expense	3,000,000	3,000,000
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34 **TITLE IV-D REIMBURSEMENT FUND**

35 Total Operating Expense	1,950,000	1,950,000
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36
 37 **FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**

38 **JUDGES' RETIREMENT FUND**

39 Total Operating Expense	10,410,696	10,893,703
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40 **PROSECUTORS' RETIREMENT FUND**

41 Total Operating Expense	4,044,194	4,155,409
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42
 43 **C. EXECUTIVE**

44
 45 **FOR THE GOVERNOR'S OFFICE**

46 Personal Services	1,752,359	1,752,359
47 Other Operating Expense	81,000	81,000

48 **GOVERNOR'S RESIDENCE**

49 Total Operating Expense	100,413	100,413
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1	GOVERNOR'S CONTINGENCY FUND		
2	Total Operating Expense	5,104	5,104
3	SUBSTANCE ABUSE PREVENTION, TREATMENT, AND ENFORCEMENT		
4	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
5	Total Operating Expense	5,000,000	5,000,000
6	WASHINGTON LIAISON OFFICE		
7	Total Operating Expense	51,936	51,936
8			
9	FOR THE LIEUTENANT GOVERNOR		
10	Total Operating Expense	4,823,513	4,823,513
11	LIEUTENANT GOVERNOR'S CONTINGENCY FUND		
12	Total Operating Expense	4,341	4,341
13			
14	Direct disbursements from the lieutenant governor's contingency fund are not subject		
15	to the provisions of IC 5-22.		
16			
17	FOR THE SECRETARY OF STATE		
18	ADMINISTRATION		
19	Personal Services	4,486,932	4,486,932
20	Other Operating Expense	845,612	845,612
21	VOTER EDUCATION OUTREACH		
22	Total Operating Expense	0	400,000
23			
24	FOR THE ATTORNEY GENERAL		
25	20,132,051 20,132,051		
26	Agency Settlement Fund (IC 4-12-16-2)		
27	3,554,032 3,554,032		
28	Augmentation allowed.		
29	Homeowner Protection Unit Account (IC 4-6-12-9)		
30	473,186 473,186		
31	Augmentation allowed.		
32	Real Estate Appraiser Licensing (IC 25-34.1-8-7.5)		
33	50,000 50,000		
34	Augmentation allowed.		
35	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
36	818,916 818,916		
37	Augmentation allowed.		
38	Abandoned Property Fund (IC 32-34-1-33)		
39	2,054,730 2,054,730		
40	Augmentation allowed.		
41			
42	The amounts specified from the general fund, homeowner protection unit account,		
43	agency settlements fund, real estate appraiser investigative fund,		
44	tobacco master settlement agreement fund, and abandoned property		
45	fund are for the following purposes:		
46			
47	Personal Services	23,883,469	23,883,469
48	Other Operating Expense	3,199,446	3,199,446
49			



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	MEDICAID FRAUD CONTROL UNIT		
2	Total Operating Expense	1,400,000	1,400,000
3			
4	The above appropriation is the state's matching share of funding for the state Medicaid		
5	fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation		
6	allowed from collections.		
7			
8	UNCLAIMED PROPERTY		
9	Abandoned Property Fund (IC 32-34-1-33)		
10	Total Operating Expense	7,883,908	7,883,908
11	Augmentation allowed.		
12			
13	D. FINANCIAL MANAGEMENT		
14			
15	FOR THE AUDITOR OF STATE		
16	Personal Services	5,503,465	5,503,465
17	Other Operating Expense	1,429,870	1,429,870
18			
19	FOR THE STATE BOARD OF ACCOUNTS		
20	Personal Services	13,720,717	13,720,717
21	EXAMINATIONS		
22	Examinations Fund (IC 5-11-4-3)		
23	Total Operating Expense	15,292,119	15,292,119
24	Augmentation allowed.		
25			
26	FOR THE OFFICE OF MANAGEMENT AND BUDGET		
27	Personal Services	466,174	466,174
28	Other Operating Expense	31,341	31,341
29			
30	FOR THE DISTRESSED UNIT APPEAL BOARD		
31	Total Operating Expense	4,250,000	4,250,000
32			
33	FOR THE MANAGEMENT AND PERFORMANCE HUB		
34	Total Operating Expense	7,375,352	7,375,352
35			
36	FOR THE STATE BUDGET AGENCY		
37	Personal Services	3,640,731	3,640,731
38	Other Operating Expense	205,167	205,167
39	BUDGET AGENCY CONTINGENCY FUND		
40	Total Operating Expense	2,800,000	47,800,000
41	Budget Agency Contingency Fund (IC 4-12-17)		
42	Total Operating Expense	10,000,000	10,000,000
43	Augmentation allowed.		
44			
45	Any balance remaining on June 30, 2021 in the Personal Services/Fringe Benefits		
46	Contingency Fund shall be transferred to the budget agency contingency fund		
47	effective July 1, 2021.		
48			
49	OUTSIDE ACTS		



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
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1 together with the above specific amounts, one and one-tenth percent (1.1%) of the
 2 amount of money collected by the department of state revenue from taxes and fees.

3
 4 **OUTSIDE COLLECTIONS**

5 Total Operating Expense	4,585,887	4,585,887
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6
 7 With the approval of the governor and the budget agency, the foregoing sums for
 8 the department of state revenue's outside collections may be augmented to an amount
 9 not exceeding in total, together with the above specific amounts, one and one-tenth
 10 percent (1.1%) of the amount of money collected by the department from taxes and
 11 fees.

12
 13 **MOTOR CARRIER REGULATION**

14 Motor Carrier Regulation Fund (IC 8-2.1-23)

15 Personal Services	5,205,090	5,205,090
16 Other Operating Expense	3,409,489	3,409,489

17 Augmentation allowed.

18
 19 **FOR THE INDIANA GAMING COMMISSION**

20 State Gaming Fund (IC 4-33-13-2)

21 2,310,874	2,310,874
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22 Gaming Investigations Fund (IC 4-33-4-18(b))

23 1,074,000	1,074,000
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24
 25 The amounts specified from the state gaming fund and gaming investigations fund
 26 are for the following purposes:

28 Personal Services	3,047,610	3,047,610
29 Other Operating Expense	337,264	337,264

30 Augmentation allowed.

31
 32 The above appropriations to the Indiana gaming commission are made from revenues
 33 accruing to the state gaming fund under IC 4-33 before any distribution is made
 34 under IC 4-33-13-5.

35
 36 The above appropriations to the Indiana gaming commission are made instead of the
 37 appropriation made in IC 4-33-13-4.

38
 39 **GAMING RESEARCH DIVISION**

40 Personal Services	5,000	5,000
41 Other Operating Expense	320,000	320,000

42 **ATHLETIC COMMISSION**

43 State Gaming Fund (IC 4-33-13-2)

44 Total Operating Expense	92,371	92,371
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45 Augmentation allowed.

46 Athletic Fund (IC 4-33-22-9)

47 Total Operating Expense	6,000	6,000
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48 Augmentation allowed.

49 **FANTASY SPORTS REGULATION AND ADMINISTRATION**



1 **Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)**
2 **Total Operating Expense** **25,500** **25,500**
3 **Augmentation allowed.**

4
5 **FOR THE INDIANA HORSE RACING COMMISSION**
6 **Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)**
7 **Personal Services** **1,873,711** **1,873,711**
8 **Other Operating Expense** **409,870** **409,870**

9
10 **The above appropriations to the Indiana horse racing commission are made from revenues**
11 **accruing to the Indiana horse racing commission before any distribution is made**
12 **under IC 4-31-9.**

13
14 **STANDARD BRED ADVISORY BOARD**
15 **Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)**
16 **Total Operating Expense** **193,500** **193,500**
17 **Augmentation allowed.**

18
19 **FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE**
20 **Personal Services** **3,201,090** **3,201,090**
21 **Other Operating Expense** **495,111** **495,111**
22 **Assessment Training Fund (IC 6-1.1-5.5-4.7)**
23 **Total Operating Expense** **540,280** **540,280**
24 **Augmentation allowed.**

25
26 **FOR THE INDIANA BOARD OF TAX REVIEW**
27 **Personal Services** **1,292,876** **1,292,876**
28 **Other Operating Expense** **74,092** **74,092**
29 **Assessment Training Fund (IC 6-1.1-5.5-4.7)**
30 **Total Operating Expense** **320,628** **320,628**
31 **Augmentation allowed.**

32
33 **F. ADMINISTRATION**

34
35 **FOR THE DEPARTMENT OF ADMINISTRATION**
36 **Personal Services** **10,153,021** **10,153,021**
37 **Other Operating Expense** **11,671,441** **11,671,441**
38 **MOTOR POOL ROTARY FUND**
39 **Total Operating Expense** **4,882,500** **7,875,000**
40 **Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)**
41 **Total Operating Expense** **28,000** **0**
42 **Gaming Enforcement Agents (IC 4-35-4-5)**
43 **Total Operating Expense** **18,980** **18,980**
44 **Charity Gaming Enforcement Fund (IC 4-32.3-7-1)**
45 **Total Operating Expense** **21,942** **21,942**
46 **Fire and Building Services Fund (IC 22-12-6-1)**
47 **Total Operating Expense** **345,847** **320,053**
48 **State Highway Fund (IC 8-23-9-54)**
49 **Total Operating Expense** **3,089,000** **3,089,000**



1
2 The budget agency may transfer portions of the above dedicated fund appropriations
3 from the department of administration back to the agency that provided the appropriation
4 if necessary.

5
6 In addition to the appropriations above, the budget agency with the approval of
7 the governor may transfer appropriations to the motor pool rotary fund for the purchase
8 of vehicles and related equipment.

9
10 **FOR THE STATE PERSONNEL DEPARTMENT**

Personal Services	2,863,157	2,863,157
Other Operating Expense	152,830	152,830

13 **GOVERNOR'S FELLOWSHIP PROGRAM**

Total Operating Expense	280,779	280,779
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15 **OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

Total Operating Expense	1,500,000	1,500,000
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17
18 **FOR THE STATE EMPLOYEES' APPEALS COMMISSION**

Total Operating Expense	127,197	127,197
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20
21 **FOR THE OFFICE OF TECHNOLOGY**

22 **PAY PHONE FUND**

23 Correctional Facilities Calling System Fund (IC 5-22-23-7)

Total Operating Expense	1,175,918	1,175,918
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25 Augmentation allowed.

26
27 The pay phone fund is established for the procurement of hardware, software, and
28 related equipment and services needed to expand and enhance the state campus
29 backbone and other central information technology initiatives. Such procurements
30 may include, but are not limited to, wiring and rewiring of state offices, Internet
31 services, video conferencing, telecommunications, application software, and related
32 services. Notwithstanding IC 5-22-23-5, the fund consists of the net proceeds received
33 from contracts with companies providing phone services at state institutions and
34 other state properties. The fund shall be administered by the office of technology.
35 Money in the fund may be spent by the office in compliance with a plan approved
36 by the budget agency. Any money remaining in the fund at the end of any fiscal year
37 does not revert to the general fund or any other fund but remains in the pay phone
38 fund.

39
40 **FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION**

Personal Services	1,504,877	1,504,877
Other Operating Expense	481,021	481,021

43
44 The above appropriations include funds for the Indiana archives and records administration
45 to conduct a study to determine the cost of digitizing all records housed at the
46 archives of historic significance or that are of general interest to researchers
47 and the public. The study should include the estimated cost of creating a website
48 through which the public could access the digital records of the archives. The study
49 shall be submitted to the Budget Committee by no later than November 1, 2022.



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1			
2	FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR		
3	Personal Services	246,841	246,841
4	Other Operating Expense	35,867	35,867
5			
6	G. OTHER		
7			
8	FOR THE OFFICE OF INSPECTOR GENERAL		
9	Personal Services	1,111,157	1,111,157
10	Other Operating Expense	74,000	74,000
11	STATE ETHICS COMMISSION		
12	Total Operating Expense	4,011	4,011
13			
14	FOR THE SECRETARY OF STATE		
15	ELECTION DIVISION		
16	Personal Services	1,020,095	1,020,095
17	Other Operating Expense	224,506	224,506
18	VOTER LIST MAINTENANCE		
19	Total Operating Expense	516,174	516,174
20	VOTER REGISTRATION SYSTEM		
21	Total Operating Expense	3,211,759	3,211,759
22	VOTING SYSTEM TECHNICAL OVERSIGHT PROGRAM		
23	Total Operating Expense	595,000	595,000
24			
25	SECTION 4. [EFFECTIVE JULY 1, 2021]		
26			
27	PUBLIC SAFETY		
28			
29	A. CORRECTION		
30			
31	FOR THE DEPARTMENT OF CORRECTION		
32	CENTRAL OFFICE		
33	Personal Services	15,786,135	15,786,135
34	Other Operating Expense	10,585,988	10,585,988
35	ESCAPEE COUNSEL AND TRIAL EXPENSE		
36	Total Operating Expense	199,736	199,736
37	COUNTY JAIL MISDEMEANANT HOUSING		
38	Total Operating Expense	4,152,639	4,152,639
39	ADULT CONTRACT BEDS		
40	Total Operating Expense	1,048,200	1,048,200
41	STAFF DEVELOPMENT AND TRAINING		
42	Personal Services	2,395,274	2,395,274
43	Other Operating Expense	205,438	205,438
44	PAROLE BOARD		
45	Total Operating Expense	887,990	887,990
46	INFORMATION MANAGEMENT SERVICES		
47	Total Operating Expense	1,374,209	1,374,209
48	JUVENILE TRANSITION		
49	Total Operating Expense	1,436,884	1,436,884



1 **COMMUNITY CORRECTIONS PROGRAMS**
2 **Total Operating Expense** **72,449,242** **72,449,242**

3
4 **The above appropriations for community corrections programs are not subject to transfer**
5 **to any other fund or to transfer, assignment, or reassignment for any other use**
6 **or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23**
7 **or by the budget agency notwithstanding IC 4-12-1-12 or any other law.**

8
9 **Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for community**
10 **corrections programs do not revert to the general fund or another fund at the close**
11 **of a state fiscal year but remain available in subsequent state fiscal years for**
12 **the purposes of the program.**

13
14 **The appropriations are not subject to having allotment withheld by the state budget**
15 **agency.**

16
17 **HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)**
18 **Total Operating Expense** **648,742** **648,742**

19 **INDIANAPOLIS RE-ENTRY EDUCATION FACILITY**
20 **Total Operating Expense** **700,000** **700,000**

21 **CENTRAL EMERGENCY RESPONSE**
22 **Personal Services** **1,226,045** **1,226,045**
23 **Other Operating Expense** **142,812** **142,812**

24 **HEPATITIS C TREATMENT**
25 **Total Operating Expense** **19,682,000** **24,037,000**

26 **DRUG ABUSE PREVENTION**
27 **Drug Abuse Fund (IC 11-8-2-11)**
28 **Total Operating Expense** **127,500** **127,500**

29 **Augmentation allowed.**
30 **EXONERATION FUND**
31 **Total Operating Expense** **1** **1**
32 **Augmentation allowed.**

33
34 **The above appropriation shall be used for expenses relating to the restitution**
35 **of wrongfully incarcerated persons in IC 5-2-23. The department shall collaborate**
36 **with the Indiana Criminal Justice Institute to administer this program.**

37
38 **COUNTY JAIL MAINTENANCE CONTINGENCY FUND**
39 **Total Operating Expense** **31,000,000** **31,000,000**

40
41 **The above appropriations for the county jail maintenance contingency fund**
42 **are for reimbursing sheriffs for the costs of 1) persons convicted of level**
43 **6 felonies and 2) jail and parole holds.**

44
45 **Of the above appropriation, the department of correction may distribute up to**
46 **\$25,300,000 to sheriffs for the cost of persons convicted of level 6 felonies**
47 **that are incarcerated in county jails pursuant to IC 35-38-3-3(d). The department**
48 **shall adopt a formula, subject to approval by the state budget agency, that**
49 **allocates this funding to sheriffs in a manner that considers previous**



1 reimbursements for persons convicted of level 6 felonies and the current number
 2 of level 6 abstracts in a county jail in proportion to all county jails.

3
 4 Of the above appropriation, the department of correction may distribute up to
 5 \$5,700,000 to sheriffs for the costs of jail and parole holds. The department
 6 shall reimburse sheriffs up to \$37.50 per day for the costs of persons incarcerated
 7 in county jails that are convicted of felonies. Reimbursement shall be based on
 8 the later of 1) the dates of incarceration when persons are incarcerated for more
 9 than five (5) days after the day of sentencing or 2) the date upon which the
 10 department receives the abstract of judgment and sentencing order. All requests
 11 for reimbursement shall be in conformity with department of correction policy.
 12 In addition to the per diem of up to \$37.50, the state shall reimburse the sheriffs
 13 for expenses determined by the sheriff to be medically necessary medical care to
 14 the convicted persons. If the sheriff or county receives money with respect to a
 15 convicted person (from a source other than the county), the per diem or medical
 16 expense reimbursement with respect to the convicted person shall be reduced by the
 17 amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a)
 18 or transport convicted persons within five (5) days after the day of sentencing if
 19 the department of correction does not have the capacity to receive the convicted person.
 20

21 The state budget agency may only augment this appropriation if the \$5,700,000
 22 allocated for the costs of jail and parole holds is insufficient. Any augmentation
 23 may only be used to pay for additional jail and parole holds and may not be used to
 24 provide additional funding to sheriffs for persons convicted of level 6 felonies or to
 25 increase the jail and parole hold per diem of up to \$37.50.

26	CORRECTIONAL SERVICES		
27	Total Operating Expense	145,159,148	145,159,148

28
 29
 30 The above appropriations include amounts for food, educational,
 31 and medical services.

32	JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)		
33	Total Operating Expense	3,017,447	3,017,447

34	PAROLE DIVISION		
35	Total Operating Expense	13,810,281	13,810,281

36	HERITAGE TRAIL CORRECTIONAL FACILITY		
37	Total Operating Expense	8,738,507	8,738,507

38	SOUTH BEND COMMUNITY RE-ENTRY CENTER		
39	Total Operating Expense	2,171,865	2,171,865

40	Work Release Fund (IC 11-10-8-6.5)		
41	Total Operating Expense	655,820	655,820

42	Augmentation allowed		
43	INDIANA STATE PRISON		
44	Personal Services	36,670,286	36,670,286

45	Other Operating Expense	5,528,973	5,528,973
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46 **PENDLETON CORRECTIONAL FACILITY**



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	33,896,695	33,896,695	
2	Other Operating Expense	4,394,466	4,394,466	
3	CORRECTIONAL INDUSTRIAL FACILITY			
4	Personal Services	22,446,621	22,446,621	
5	Other Operating Expense	1,364,124	1,364,124	
6	INDIANA WOMEN'S PRISON			
7	Personal Services	12,993,480	12,993,480	
8	Other Operating Expense	1,304,985	1,304,985	
9	PUTNAMVILLE CORRECTIONAL FACILITY			
10	Personal Services	33,377,336	33,377,336	
11	Other Operating Expense	2,814,807	2,814,807	
12	WABASH VALLEY CORRECTIONAL FACILITY			
13	Personal Services	43,044,710	43,044,710	
14	Other Operating Expense	3,953,977	3,953,977	
15	BRANCHVILLE CORRECTIONAL FACILITY			
16	Personal Services	17,681,071	17,681,071	
17	Other Operating Expense	2,023,166	2,023,166	
18	WESTVILLE CORRECTIONAL FACILITY			
19	Personal Services	47,091,628	47,091,628	
20	Other Operating Expense	4,183,941	4,183,941	
21	ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN			
22	Personal Services	16,823,679	16,823,679	
23	Other Operating Expense	1,773,034	1,773,034	
24	PLAINFIELD CORRECTIONAL FACILITY			
25	Personal Services	24,846,722	24,846,722	
26	Other Operating Expense	3,063,226	3,063,226	
27	RECEPTION AND DIAGNOSTIC CENTER			
28	Personal Services	16,197,190	16,197,190	
29	Other Operating Expense	1,272,105	1,272,105	
30	MIAMI CORRECTIONAL FACILITY			
31	Personal Services	31,243,293	31,243,293	
32	Other Operating Expense	4,485,552	4,485,552	
33	NEW CASTLE CORRECTIONAL FACILITY			
34	Other Operating Expense	41,398,400	41,398,400	
35	CHAIN O' LAKES CORRECTIONAL FACILITY			
36	Personal Services	1,659,389	1,659,389	
37	Other Operating Expense	205,475	205,475	
38	MADISON CORRECTIONAL FACILITY			
39	Personal Services	12,089,906	12,089,906	
40	Other Operating Expense	1,280,043	1,280,043	
41	EDINBURGH CORRECTIONAL FACILITY			
42	Personal Services	4,357,056	4,357,056	
43	Other Operating Expense	365,579	365,579	
44	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
45	Personal Services	12,867,579	12,867,579	
46	Other Operating Expense	752,485	752,485	
47	LAPORTE JUVENILE CORRECTIONAL FACILITY			
48	Personal Services	4,221,165	4,221,165	
49	Other Operating Expense	284,745	284,745	



1	PENDLETON JUVENILE CORRECTIONAL FACILITY		
2	Personal Services	18,282,033	18,282,033
3	Other Operating Expense	939,152	939,152

4			
5	FOR THE DEPARTMENT OF ADMINISTRATION		
6	DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU		
7	Personal Services	133,115	133,115
8	Other Operating Expense	69,323	69,323

9

10 **B. LAW ENFORCEMENT**

11			
12	FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION		
13		154,406,570	154,406,570
14	Motor Carrier Regulation Fund (IC 8-2.1-23)		
15		5,041,673	5,041,673
16	Augmentation allowed from the motor carrier regulation fund.		

17

18 The amounts specified from the General Fund and the Motor Carrier Regulation Fund

19 are for the following purposes:

20			
21	Personal Services	140,740,927	140,740,927
22	Other Operating Expense	18,707,316	18,707,316

23

24 The above appropriations include funds for the state police minority recruiting

25 program.

26

27 The above appropriations for the Indiana state police and motor carrier inspection

28 include funds for the police security detail to be provided to the Indiana state

29 fair board. However, amounts actually expended to provide security for the Indiana

30 state fair board as determined by the budget agency shall be reimbursed by the Indiana

31 state fair board to the state general fund.

32			
33	ISP OPEB CONTRIBUTION		
34	Total Operating Expense	5,964,305	6,006,409

35			
36	INDIANA INTELLIGENCE FUSION CENTER		
37	Total Operating Expense	1,246,649	1,246,649

38			
39	FORENSIC AND HEALTH SCIENCES LABORATORIES		
40		12,522,368	12,522,368
41	Motor Carrier Regulation Fund (IC 8-2.1-23)		
42		464,960	464,960
43	Augmentation allowed from the motor carrier regulation fund.		

44 The amounts specified from the Motor Carrier Regulation Fund and the General Fund

45 are for the following purposes:

46			
47	Personal Services	12,707,328	12,707,328
48	Other Operating Expense	280,000	280,000

49 **ENFORCEMENT AID**



1 **Total Operating Expense** **59,791** **59,791**

2

3 **The above appropriations for enforcement aid are to meet unforeseen emergencies**
4 **of a confidential nature. They are to be expended under the direction of the superintendent**
5 **and to be accounted for solely on the superintendent's authority.**

6

7 **RETIREMENT PENSION FUND**

8 **Total Operating Expense** **25,255,100** **25,255,100**

9

10 **The above appropriations shall be paid into the state police pension fund provided**
11 **for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on**
12 **or before the 30th of each succeeding month thereafter.**

13

14 **If the amount actually required under IC 10-12-2 is greater than the above appropriations,**
15 **then, with the approval of the governor and the budget agency, those sums may be**
16 **augmented from the general fund.**

17

18 **BENEFIT TRUST FUND**

19 **Total Operating Expense** **6,000,000** **6,000,000**

20

21 **All benefits to members shall be paid by warrant drawn on the treasurer of state**
22 **by the auditor of state on the basis of claims filed and approved by the trustees**
23 **of the state police pension and benefit funds created by IC 10-12-2.**

24

25 **If the amount actually required under IC 10-12-2 is greater than the above appropriations,**
26 **then, with the approval of the governor and the budget agency, those sums may be**
27 **augmented from the general fund.**

28

29 **PRE-1987 RETIREMENT**

30 **Total Operating Expense** **5,450,000** **5,450,000**

31

32 **If the amount actually required under IC 10-12-5 is greater than the above**
33 **appropriations, then, with the approval of the governor and the budget agency,**
34 **those sums may be augmented from the general fund.**

35

36 **BODY CAMERAS**

37 **Total Operating Expense** **1** **1**

38

38 **Augmentation allowed.**

39 **ACCIDENT REPORTING**

40 **Accident Report Account (IC 9-26-9-3)**

41 **Total Operating Expense** **4,122** **4,122**

42

42 **Augmentation allowed.**

43 **DRUG INTERDICTION**

44 **Drug Interdiction Fund (IC 10-11-7)**

45 **Total Operating Expense** **202,249** **202,249**

46

46 **Augmentation allowed.**

47 **DNA SAMPLE PROCESSING**

48 **DNA Sample Processing (IC 10-13-6-9.5)**

49 **Total Operating Expense** **1,776,907** **1,776,907**



1	Augmentation allowed.		
2			
3	FOR THE INTEGRATED PUBLIC SAFETY COMMISSION		
4	Integrated Public Safety Communications Fund (IC 5-26-4-1)		
5	Total Operating Expense	14,698,322	14,698,322
6	Augmentation allowed.		
7			
8	FOR THE ADJUTANT GENERAL		
9	Personal Services	4,202,888	4,202,888
10	Other Operating Expense	5,152,993	5,152,993
11	CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS		
12	Total Operating Expense	503,273	503,273
13	MUTC - MUSCATATUCK URBAN TRAINING CENTER		
14	Total Operating Expense	852,442	852,442
15	HOOSIER YOUTH CHALLENGE ACADEMY		
16	Total Operating Expense	2,027,276	2,027,276
17	GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND		
18	Total Operating Expense	65,031	65,031
19	Augmentation allowed.		
20			
21	The above appropriations for the governor's civil and military contingency fund are		
22	made under IC 10-16-11-1.		
23			
24	FOR THE CRIMINAL JUSTICE INSTITUTE		
25	Total Operating Expense	1,577,171	1,577,171
26	Indiana Safe Schools Fund (IC 5-2-10.1-2)		
27	Total Operating Expense	25,000	25,000
28	Augmentation allowed.		
29	Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)		
30	Total Operating Expense	10,000	10,000
31	Augmentation allowed.		
32	Victim and Witness Assistance Fund (IC 5-2-6-14)		
33	Total Operating Expense	50,000	50,000
34	Augmentation allowed.		
35	State Drug Free Communities Fund (IC 5-2-10-2)		
36	Total Operating Expense	50,000	50,000
37	Augmentation allowed.		
38			
39	DRUG ENFORCEMENT MATCH		
40	Total Operating Expense	250,000	250,000
41			
42	To facilitate the duties of the Indiana criminal justice institute as outlined in		
43	IC 5-2-6-3, the above appropriation is not subject to the provisions of IC 4-9.1-1-7		
44	when used to support other state agencies through the awarding of state match dollars.		
45			
46	VICTIM AND WITNESS ASSISTANCE		
47	Victim and Witness Assistance Fund (IC 5-2-6-14)		
48	Total Operating Expense	381,833	381,833
49	Augmentation allowed.		



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	ALCOHOL AND DRUG COUNTERMEASURES		
2	Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
3	Total Operating Expense	335,000	335,000
4	Augmentation allowed.		
5	STATE DRUG FREE COMMUNITIES		
6	State Drug Free Communities Fund (IC 5-2-10-2)		
7	Total Operating Expense	323,125	323,125
8	Augmentation allowed.		
9	INDIANA SAFE SCHOOLS		
10	Total Operating Expense	1,313,059	1,313,059
11	Indiana Safe Schools Fund (IC 5-2-10.1-2)		
12	Total Operating Expense	300,000	300,000
13	Augmentation allowed from Indiana Safe Schools Fund.		
14			
15	The above appropriations for the Indiana safe schools program are for the purpose		
16	of providing grants to school corporations and charter schools for school safe haven		
17	programs, emergency preparedness programs, and school safety programs. The criminal		
18	justice institute shall transfer \$750,000 each fiscal year to the department of		
19	education to provide training to school safety specialists.		
20			
21	INDIANA GUN CRIMES TASK FORCE		
22	Total Operating Expense	5,000,000	5,000,000
23			
24	BODY CAMERA GRANTS		
25	Total Operating Expense		10,000,000
26			
27	The above appropriation is for the purpose of providing grants to city, town, and		
28	county law enforcement agencies for the acquisition of body cameras. Law enforcement		
29	agencies that have previously purchased or deployed body cameras to the agency's		
30	law enforcement officers are not eligible to receive grants. Grant proceeds may		
31	only be used for the purchase of body cameras and may not be used to purchase video		
32	storage equipment or services. Eligible law enforcement agencies may apply for		
33	grants in accordance with procedures established by the criminal justice institute.		
34			
35	OFFICE OF TRAFFIC SAFETY		
36	Total Operating Expense	507,633	507,633
37			
38	The above appropriation for the office of traffic safety may be used to cover the		
39	state match requirement for this program according to the current highway safety		
40	plan approved by the governor and the budget agency.		
41			
42	SEXUAL ASSAULT VICTIMS' ASSISTANCE		
43	Total Operating Expense	1,501,708	1,501,708
44	VICTIMS OF VIOLENT CRIME ADMINISTRATION		
45	Total Operating Expense	3,636,841	3,636,841
46	Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)		
47	Total Operating Expense	2,550,844	2,550,844
48	Augmentation allowed from the violent crime victims compensation fund.		
49			



1 If appropriations are insufficient to pay eligible claims, the budget agency may
 2 augment from the general fund.

3

4 **DOMESTIC VIOLENCE PREVENTION AND TREATMENT**

5	Total Operating Expense	5,000,000	5,000,000
6	Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)		
7	Total Operating Expense	1,226,800	1,226,800
8	Augmentation allowed from domestic violence prevention and treatment fund.		

9

10 The above appropriations are for programs for the prevention of domestic violence.
 11 The appropriations may not be used to construct a shelter.

12

13 **FOR THE DEPARTMENT OF TOXICOLOGY**

14	Total Operating Expense	2,249,632	2,249,632
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15

16 **BREATH TEST TRAINING AND CERTIFICATION**

17	Breath Test Training and Certification Fund (IC 10-20-2-9)		
18	Total Operating Expense	355,000	355,000
19	Augmentation allowed from the Breath Test Training and Certification Fund.		

20

21 **FOR THE CORONERS TRAINING BOARD**

22	Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)		
23	Total Operating Expense	400,000	400,000
24	Augmentation allowed.		

25

26 The state department of health shall administer the coroners training board fund.

27

28 **FOR THE LAW ENFORCEMENT TRAINING ACADEMY**

29	2,287,272	2,287,272	
30	Law Enforcement Academy Fund (IC 5-2-1-13)		
31	2,584,810	2,622,760	
32	Augmentation allowed from the Law Enforcement Academy Fund.		

33

34 The amounts specified from the General Fund and the Law Enforcement Academy Fund
 35 are for the following purposes:

36

37	Total Operating Expense	4,872,082	4,910,032
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38

39 **C. REGULATORY AND LICENSING**

40

41 **FOR THE BUREAU OF MOTOR VEHICLES**

42	Personal Services	15,780,460	15,780,460
43	Other Operating Expense	10,529,389	10,529,389

44 **FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION**

45	Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)		
46	Total Operating Expense	6,436,521	6,608,981
47	Augmentation allowed.		

48 **MOTORCYCLE OPERATOR SAFETY**

49	Motorcycle Operator Safety Education Fund (IC 9-27-7-7)		
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	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	1,430,622	1,411,122
2	Augmentation allowed.		
3	LICENSE BRANCHES		
4	Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)		
5	Total Operating Expense	106,681,667	106,681,667
6	Augmentation allowed.		
7			
8	FOR THE DEPARTMENT OF LABOR		
9	Personal Services	651,148	651,148
10	Other Operating Expense	52,037	52,037
11	BUREAU OF MINES AND SAFETY		
12	Total Operating Expense	156,517	156,517
13	QUALITY, METRICS, AND STATISTICS (M.I.S.)		
14	Total Operating Expense	151,682	151,682
15	OCCUPATIONAL SAFETY AND HEALTH		
16	Total Operating Expense	2,269,118	2,269,118
17			
18	The above appropriations for occupational safety and health and M.I.S. research		
19	and statistics reflect only the general fund portion of the total program costs of		
20	the Indiana occupational safety and health plan as approved by the U.S. Department		
21	of Labor. It is the intent of the general assembly that the Indiana department		
22	of labor apply to the federal government for the federal share of the total program		
23	costs.		
24			
25	EMPLOYMENT OF YOUTH		
26	Labor Education and Youth Employment Fund (IC 22-2-18.1-32)		
27	Total Operating Expense	532,110	532,110
28	Augmentation allowed.		
29	INSAFE		
30	Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)		
31	Total Operating Expense	380,873	380,873
32	Augmentation allowed.		
33			
34	FOR THE DEPARTMENT OF INSURANCE		
35	Department of Insurance Fund (IC 27-1-3-28)		
36	Personal Services	6,191,755	6,191,755
37	Other Operating Expense	1,199,878	1,199,878
38	Augmentation allowed.		
39	BAIL BOND DIVISION		
40	Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)		
41	Total Operating Expense	66,465	66,465
42	Augmentation allowed.		
43	PATIENT'S COMPENSATION AUTHORITY		
44	Patient's Compensation Fund (IC 34-18-6-1)		
45	Total Operating Expense	4,149,289	4,149,289
46	Augmentation allowed.		
47	POLITICAL SUBDIVISION RISK MANAGEMENT		
48	Political Subdivision Risk Management Fund (IC 27-1-29-10)		
49	Other Operating Expense	133,108	133,108



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Augmentation allowed.		
2	MINE SUBSIDENCE INSURANCE		
3	Mine Subsidence Insurance Fund (IC 27-7-9-7)		
4	Total Operating Expense	2,400,000	2,400,000
5	Augmentation allowed.		
6	TITLE INSURANCE ENFORCEMENT OPERATING		
7	Title Insurance Enforcement Fund (IC 27-7-3.6-1)		
8	Total Operating Expense	902,940	902,940
9	Augmentation allowed.		
10			
11	FOR THE ALCOHOL AND TOBACCO COMMISSION		
12	Enforcement and Administration Fund (IC 7.1-4-10-1)		
13	Personal Services	10,854,298	10,854,298
14	Other Operating Expense	1,645,458	1,645,458
15	Augmentation allowed.		
16	YOUTH TOBACCO EDUCATION AND ENFORCEMENT		
17	Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)		
18	Total Operating Expense	72,849	72,849
19	Augmentation allowed.		
20	ATC OPEB CONTRIBUTION		
21	Enforcement and Administration Fund (IC 7.1-4-10-1)		
22	Total Operating Expense	638,532	658,617
23	Augmentation allowed.		
24			
25	FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS		
26	Financial Institutions Fund (IC 28-11-2-9)		
27	Personal Services	7,384,743	7,384,743
28	Other Operating Expense	1,943,928	1,943,928
29	Augmentation allowed.		
30			
31	FOR THE PROFESSIONAL LICENSING AGENCY		
32	Personal Services	4,216,420	4,216,420
33	Other Operating Expense	306,062	306,062
34	CONTROLLED SUBSTANCES DATA FUND (INSPECT)		
35	Controlled Substances Data Fund (IC 25-26-24-23)		
36	Total Operating Expense	1,459,572	1,459,572
37	Augmentation allowed.		
38	PRENEED CONSUMER PROTECTION		
39	Preneed Consumer Protection Fund (IC 30-2-13-28)		
40	Total Operating Expense	67,000	67,000
41	Augmentation allowed.		
42	BOARD OF FUNERAL AND CEMETERY SERVICE		
43	Funeral Service Education Fund (IC 25-15-9-13)		
44	Total Operating Expense	250	250
45	Augmentation allowed.		
46	DENTAL PROFESSION INVESTIGATION		
47	Dental Compliance Fund (IC 25-14-1-3.7)		
48	Total Operating Expense	100,605	100,605
49	Augmentation allowed.		



1	PHYSICIAN INVESTIGATION		
2	Physician Compliance Fund (IC 25-22.5-2-8)		
3	Total Operating Expense	7,586	7,586
4	Augmentation allowed.		
5			
6	FOR THE CIVIL RIGHTS COMMISSION		
7	Personal Services	1,539,033	1,539,033
8	Other Operating Expense	276,044	276,044
9			
10	The above appropriation for the Indiana civil rights commission reflects only the		
11	general fund portion of the total program costs for the processing of employment		
12	and housing discrimination complaints. It is the intent of the general assembly		
13	that the commission shall apply to the federal government for funding based		
14	upon the processing of employment and housing discrimination complaints.		
15			
16	COMMISSION FOR WOMEN		
17	Total Operating Expense	98,115	98,115
18	COMMISSION ON THE SOCIAL STATUS OF BLACK MALES		
19	Total Operating Expense	135,431	135,431
20	NATIVE AMERICAN INDIAN AFFAIRS COMMISSION		
21	Total Operating Expense	74,379	74,379
22	COMMISSION ON HISPANIC/LATINO AFFAIRS		
23	Total Operating Expense	102,432	102,432
24	DR. MARTIN LUTHER KING JR. HOLIDAY COMMISSION		
25	Total Operating Expense	19,400	19,400
26			
27	FOR THE UTILITY CONSUMER COUNSELOR		
28	Public Utility Fund (IC 8-1-6-1)		
29	Personal Services	6,135,835	6,135,835
30	Other Operating Expense	771,825	771,825
31	Augmentation allowed.		
32	EXPERT WITNESS FEES AND AUDIT		
33	Public Utility Fund (IC 8-1-6-1)		
34	Total Operating Expense	787,998	787,998
35	Augmentation allowed.		
36			
37	FOR THE UTILITY REGULATORY COMMISSION		
38	Public Utility Fund (IC 8-1-6-1)		
39	Personal Services	6,739,751	6,739,751
40	Other Operating Expense	2,172,236	2,172,236
41	Augmentation allowed.		
42			
43	FOR THE WORKER'S COMPENSATION BOARD		
44	Total Operating Expense	1,835,964	1,835,964
45	Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)		
46	Total Operating Expense	409,155	409,155
47	Augmentation allowed from the worker's compensation supplemental administrative		
48	fund.		
49			



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	FOR THE STATE BOARD OF ANIMAL HEALTH		
2	Personal Services	4,626,244	4,626,244
3	Other Operating Expense	518,500	518,500
4	INDEMNITY FUND		
5	Total Operating Expense	42,500	42,500
6	Augmentation allowed.		
7	MEAT & POULTRY		
8	Total Operating Expense	1,965,106	1,965,106
9	CAPTIVE CERVIDAE PROGRAMS		
10	Captive Cervidae Programs Fund (IC 15-17-14.7-16)		
11	Total Operating Expense	40,000	40,000
12	Augmentation allowed.		
13			
14	FOR THE DEPARTMENT OF HOMELAND SECURITY		
15	Fire and Building Services Fund (IC 22-12-6-1)		
16	Personal Services	11,411,500	11,691,962
17	Other Operating Expense	2,587,891	2,708,591
18	Augmentation allowed.		
19	REGIONAL PUBLIC SAFETY TRAINING		
20	Regional Public Safety Training Fund (IC 10-15-3-12)		
21	Total Operating Expense	1,936,185	1,936,185
22	Augmentation allowed.		
23	RADIOLOGICAL HEALTH		
24	Total Operating Expense	63,023	63,023
25	INDIANA SECURED SCHOOL SAFETY		
26	Total Operating Expense	19,010,000	19,010,000
27			
28	The above appropriations include funds to provide grants for the provision of school based		
29	mental health services and social emotional wellness services to students in K-12		
30	schools. From the above appropriations, the department shall make \$500,000 available		
31	each fiscal year to accredited nonpublic schools that apply for grants for the purchase		
32	of security equipment or other security upgrades. The department shall prioritize		
33	grants to nonpublic schools that demonstrate a heightened risk of security threats.		
34			
35	EMERGENCY MANAGEMENT CONTINGENCY FUND		
36	Total Operating Expense	97,288	97,288
37	Augmentation allowed.		
38			
39	The above appropriations for the emergency management contingency fund are made		
40	under IC 10-14-3-28.		
41			
42	PUBLIC ASSISTANCE		
43	Total Operating Expense	1	1
44	Augmentation allowed.		
45	INDIANA EMERGENCY RESPONSE COMMISSION		
46	Total Operating Expense	48,579	48,579
47	Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)		
48	Total Operating Expense	63,251	63,251
49	Augmentation allowed.		



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	STATE DISASTER RELIEF		
2	State Disaster Relief Fund (IC 10-14-4-5)		
3	Total Operating Expense	149,784	149,784
4	Augmentation allowed.		
5	FIRE PREVENTION AND PUBLIC SAFETY		
6	Fire Prevention and Public Safety Fund (IC 22-14-7-27)		
7	Total Operating Expense	32,000	32,000
8	Augmentation allowed.		
9			
10	Any remaining balance in the reduced ignition propensity standards for cigarettes fund		
11	before its repeal shall be transferred to the fire prevention and public safety fund.		
12			
13	STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND		
14	Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)		
15	Total Operating Expense	102,815	102,815
16	Augmentation allowed.		
17			
18	SECTION 5. [EFFECTIVE JULY 1, 2021]		
19			
20	CONSERVATION AND ENVIRONMENT		
21			
22	A. NATURAL RESOURCES		
23			
24	FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION		
25	Personal Services	9,090,851	9,090,851
26	Other Operating Expense	1,926,025	1,926,025
27	DNR OPEB CONTRIBUTION		
28	Total Operating Expense	2,399,766	2,454,372
29	ENTOMOLOGY AND PLANT PATHOLOGY DIVISION		
30	Total Operating Expense	794,022	794,022
31	Entomology and Plant Pathology Fund (IC 14-24-10-3)		
32	Total Operating Expense	302,415	302,415
33	DNR ENGINEERING DIVISION		
34	Personal Services	1,749,853	1,749,853
35	Other Operating Expense	348,650	348,650
36	DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY		
37	Total Operating Expense	916,191	916,191
38	WABASH RIVER HERITAGE CORRIDOR		
39	Wabash River Heritage Corridor Fund (IC 14-13-6-23)		
40	Total Operating Expense	159,128	159,128
41	NATURE PRESERVES DIVISION		
42	Other Operating Expense	351,488	351,488
43	WATER DIVISION		
44	Personal Services	4,152,675	4,152,675
45	Other Operating Expense	500,001	500,001
46			
47	All revenues accruing from state and local units of government and from private		
48	utilities and industrial concerns as a result of water resources study projects,		
49	and as a result of topographic and other mapping projects, shall be deposited into		



1 the state general fund, in addition to the above appropriations, for water
 2 resources studies. The above appropriations include \$200,000 each fiscal year
 3 for the monitoring of water resources.

4
 5 **DEER RESEARCH AND MANAGEMENT**

6 Deer Research and Management Fund (IC 14-22-5-2)
 7 Total Operating Expense 90,180 90,180
 8 Augmentation allowed.

9 **OIL AND GAS DIVISION**

10 Oil and Gas Fund (IC 6-8-1-27)
 11 Personal Services 1,054,473 1,054,473
 12 Other Operating Expense 302,192 302,192
 13 Augmentation allowed.

14 **STATE PARKS AND RESERVOIRS**

15 3,590,713 3,590,713
 16 State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)
 17 35,210,802 35,210,802
 18 Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

19
 20 The amounts specified from the General Fund and the State Parks and Reservoirs
 21 Special Revenue Fund are for the following purposes:

22
 23 Personal Services 25,623,759 25,623,759
 24 Other Operating Expense 13,177,756 13,177,756

25
 26 **SNOWMOBILE FUND**

27 Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)
 28 Total Operating Expense 78,209 78,209
 29 Augmentation allowed.

30 **DNR LAW ENFORCEMENT DIVISION**

31 13,108,321 13,108,321
 32 Fish and Wildlife Fund (IC 14-22-3-2)
 33 10,831,730 10,831,730
 34 Augmentation allowed from the Fish and Wildlife Fund.

35
 36 The amounts specified from the General Fund and the Fish and Wildlife Fund are for
 37 the following purposes:

38
 39 Personal Services 20,671,551 20,671,551
 40 Other Operating Expense 3,268,500 3,268,500

41
 42 **SPORTSMEN'S BENEVOLENCE**

43 Total Operating Expense 145,500 145,500

44 **FISH AND WILDLIFE DIVISION**

45 Fish and Wildlife Fund (IC 14-22-3-2)
 46 Personal Services 5,239,323 5,239,323
 47 Other Operating Expense 4,302,011 4,302,011

48 Augmentation allowed.

49 **FORESTRY DIVISION**



1 5,831,218 5,831,218
2 State Forestry Fund (IC 14-23-3-2)
3 3,643,741 3,643,741
4 Augmentation allowed from the State Forestry Fund.

5
6 The amounts specified from the General Fund and the State Forestry Fund are for
7 the following purposes:

8			
9	Personal Services	7,184,827	7,184,827
10	Other Operating Expense	2,290,132	2,290,132

11
12 In addition to any of the above appropriations for the department of natural resources,
13 any federal funds received by the state of Indiana for support of approved outdoor
14 recreation projects for planning, acquisition, and development under the provisions
15 of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated
16 for the uses and purposes for which the funds were paid to the state, and shall
17 be distributed by the department of natural resources to state agencies and other
18 governmental units in accordance with the provisions under which the funds were
19 received.

20
21 **LAKE MICHIGAN COASTAL PROGRAM MATCH**
22 Cigarette Tax Fund (IC 6-7-1-28.1)
23 Total Operating Expense 117,313 117,313

24 Augmentation allowed.
25 **LAKE AND RIVER ENHANCEMENT**
26 Lake and River Enhancement Fund (IC 14-22-3.5-1)
27 Total Operating Expense 2,046,309 2,046,309

28 Augmentation allowed.
29 **HERITAGE TRUST**
30 Total Operating Expense 94,090 94,090
31 Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)
32 Total Operating Expense 811,750 811,750

33 Augmentation allowed.
34 **INSTITUTIONAL ROAD CONSTRUCTION**
35 State Highway Fund (IC 8-23-9-54)
36 Total Operating Expense 2,425,000 2,425,000

37
38 The above appropriations for institutional road construction may be used for
39 road and bridge construction, relocation, and other related improvement projects
40 at state owned properties managed by the department of natural resources.

41
42 **B. OTHER NATURAL RESOURCES**

43
44 **FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION**
45 Total Operating Expense 7,928,155 7,928,155

46
47 In lieu of billing the University of Southern Indiana, the above appropriations
48 include \$25,000 each fiscal year for the purpose of maintaining historic properties
49 in New Harmony.



1			
2	FOR THE WAR MEMORIALS COMMISSION		
3	Personal Services	935,203	935,203
4	Other Operating Expense	453,615	453,615
5			
6	All revenues received as rent for space in the buildings located at 777 North Meridian		
7	Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the		
8	costs of operation and maintenance of the space rented, shall be deposited into		
9	the general fund.		
10			
11	FOR THE WHITE RIVER STATE PARK DEVELOPMENT COMMISSION		
12	Total Operating Expense	848,506	848,506
13			
14	FOR THE MAUMEE RIVER BASIN COMMISSION		
15	Total Operating Expense	101,850	101,850
16			
17	FOR THE ST. JOSEPH RIVER BASIN COMMISSION		
18	Total Operating Expense	104,974	104,974
19			
20	FOR THE KANKAKEE RIVER BASIN COMMISSION		
21	Total Operating Expense	71,614	71,614
22			
23	C. ENVIRONMENTAL MANAGEMENT		
24			
25	FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT		
26	OPERATING		
27	Personal Services	8,379,269	8,379,269
28	Other Operating Expense	4,851,426	4,851,426
29	OFFICE OF ENVIRONMENTAL RESPONSE		
30	Personal Services	2,109,416	2,109,416
31	Other Operating Expense	280,000	280,000
32	POLLUTION PREVENTION AND TECHNICAL ASSISTANCE		
33	Personal Services	599,439	599,439
34	Other Operating Expense	70,000	70,000
35	RIVERSIDE CLEAN-UP		
36	Total Operating Expense	1,950,000	1,950,000
37	STATE SOLID WASTE GRANTS MANAGEMENT		
38	State Solid Waste Management Fund (IC 13-20-22-2)		
39	Total Operating Expense	3,649,940	3,649,940
40	Augmentation allowed.		
41	RECYCLING PROMOTION AND ASSISTANCE PROGRAM		
42	Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
43	Total Operating Expense	2,225,116	2,225,116
44	Augmentation allowed.		
45	VOLUNTARY CLEAN-UP PROGRAM		
46	Voluntary Remediation Fund (IC 13-25-5-21)		
47	Personal Services	1,076,668	1,076,668
48	Other Operating Expense	90,000	90,000
49	Augmentation allowed.		



1	TITLE V AIR PERMIT PROGRAM		
2	Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
3	Personal Services	10,842,859	10,842,859
4	Other Operating Expense	725,000	725,000
5	Augmentation allowed.		
6	WATER MANAGEMENT PERMITTING		
7	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
8	Personal Services	6,030,674	6,030,674
9	Other Operating Expense	1,769,000	1,769,000
10	Augmentation allowed.		
11	SOLID WASTE MANAGEMENT PERMITTING		
12	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
13	Personal Services	3,315,656	3,315,656
14	Other Operating Expense	963,000	963,000
15	Augmentation allowed.		
16	CFO/CAFO INSPECTIONS		
17	Total Operating Expense	812,248	812,248
18	HAZARDOUS WASTE MANAGEMENT PERMITTING		
19	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
20	Personal Services	2,382,577	2,382,577
21	Other Operating Expense	339,000	339,000
22	Augmentation allowed.		
23	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
24	Total Operating Expense	1,500,000	1,500,000
25	ELECTRONIC WASTE		
26	Electronic Waste Fund (IC 13-20.5-2-3)		
27	Total Operating Expense	213,685	213,685
28	Augmentation allowed.		
29	AUTO EMISSIONS TESTING PROGRAM		
30	Total Operating Expense	5,087,133	5,087,133
31			
32	The above appropriations for auto emissions testing are the maximum amounts available		
33	for this purpose. If it becomes necessary to conduct additional tests in other locations,		
34	the above appropriations shall be prorated among all locations.		
35			
36	HAZARDOUS WASTE SITES - STATE CLEAN-UP		
37	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
38	Total Operating Expense	3,486,973	3,486,973
39	Augmentation allowed.		
40	HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES		
41	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
42	Total Operating Expense	237,215	237,215
43	Augmentation allowed.		
44	SUPERFUND MATCH		
45	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
46	Total Operating Expense	1,500,000	1,500,000
47	Augmentation allowed.		
48	ASBESTOS TRUST - OPERATING		
49	Asbestos Trust Fund (IC 13-17-6-3)		



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
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	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
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1	FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION		
2	ADMINISTRATIVE AND FINANCIAL SERVICES		
3	Total Operating Expense	7,694,904	7,694,904
4	Skills Enhancement Fund (IC 5-28-7-5)		
5	Total Operating Expense	180,061	180,061
6	Industrial Development Grant Fund (IC 5-28-25-4)		
7	Total Operating Expense	50,570	50,570
8	INDIANA 21ST CENTURY RESEARCH AND TECHNOLOGY FUND		
9	Total Operating Expense	27,750,000	27,750,000
10	SKILLS ENHANCEMENT FUND		
11	Total Operating Expense	11,500,000	11,500,000
12	OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP		
13	Total Operating Expense	1,183,000	1,183,000
14	INDIANA OFFICE OF DEFENSE DEVELOPMENT		
15	Total Operating Expense	523,627	523,627
16	CAREER CONNECTIONS AND TALENT		
17	Personal Services	595,197	595,197
18	Other Operating Expense	79,235	79,235
19	BUSINESS PROMOTION AND INNOVATION		
20	Total Operating Expense	17,000,000	17,000,000
21			
22	The above appropriations may be used by the Indiana Economic Development Corporation		
23	to promote business investment and encourage entrepreneurship and innovation. The		
24	corporation may use the above appropriations to advance innovation and entrepreneurship		
25	education through strategic partnerships with higher education institutions and		
26	communities, provide innovation vouchers to small Hoosier businesses, establish		
27	a pilot project for income sharing agreements, support efforts to attract amateur		
28	sporting events, including contributions to bid funds, promote and enhance the motor		
29	sports industry in Indiana, and support activities that promote international trade.		
30			
31	INDUSTRIAL DEVELOPMENT GRANT PROGRAM		
32	Total Operating Expense	4,850,000	4,850,000
33	NEXT LEVEL REGIONAL RECOVERY GRANTS		
34	Total Operating Expense		150,000,000
35	MANUFACTURING READINESS GRANTS		
36	Total Operating Expense	5,000,000	5,000,000
37	NEXT LEVEL FLIGHTS		
38	Total Operating Expense		10,000,000
39			
40	Of the above appropriation for next level flights, the Indiana economic development		
41	corporation may award up three million dollars (\$3,000,000) to the Fort Wayne International		
42	Airport for a gate expansion project.		
43			
44	ECONOMIC DEVELOPMENT FUND		
45	Total Operating Expense	947,344	947,344
46			
47	FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY		
48	HOUSING FIRST PROGRAM		
49	Total Operating Expense	890,027	890,027



1	INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS		
2	Total Operating Expense	609,945	609,945
3			
4	The housing and community development authority shall collect and report to the		
5	family and social services administration (FSSA) all data required for FSSA to meet		
6	the data collection and reporting requirements in 45 CFR Part 265.		
7			
8	The division of family resources shall apply all qualifying expenditures for individual		
9	development account deposits toward Indiana's maintenance of effort under the federal		
10	Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).		
11			
12	FOR THE INDIANA FINANCE AUTHORITY		
13	ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM		
14	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
15	Total Operating Expense	2,500,000	2,500,000
16			
17	C. EMPLOYMENT SERVICES		
18			
19	FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT		
20	ADMINISTRATION		
21	Total Operating Expense	1,138,715	1,138,715
22	PROPRIETARY EDUCATIONAL INSTITUTIONS		
23	Total Operating Expense	53,243	53,243
24	NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM		
25	Total Operating Expense	17,064,066	17,064,066
26	INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION		
27	Total Operating Expense	850,000	850,000
28	WORKFORCE READY GRANTS		
29	Total Operating Expense	3,000,000	3,000,000
30	DROPOUT PREVENTION		
31	Total Operating Expense	6,800,000	6,800,000
32	ADULT EDUCATION DISTRIBUTION		
33	Total Operating Expense	12,985,041	12,985,041
34			
35	It is the intent of the 2021 general assembly that the above appropriations for		
36	adult education shall be the total allowable state expenditure for such program.		
37	If disbursements are anticipated to exceed the total appropriation for a state fiscal		
38	year, the department of workforce development shall reduce the distributions		
39	proportionately.		
40			
41	SERVE INDIANA ADMINISTRATION		
42	Total Operating Expense	239,560	239,560
43			
44	FOR THE WORKFORCE CABINET		
45	Total Operating Expense	500,000	500,000
46	WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM		
47	Total Operating Expense	1,000,000	1,000,000
48	PERKINS STATE MATCH		
49	Total Operating Expense	494,000	494,000



1 **PROMOTED INDUSTRY CERTIFICATION EXAMS**
2 **Total Operating Expense** **600,000** **600,000**

3
4 **The above appropriations for certifications are to provide funding for students**
5 **of accredited public and nonpublic schools to take exams required to earn certifications**
6 **on Indiana's promoted industry certification list.**

7
8 **D. OTHER ECONOMIC DEVELOPMENT**

9
10 **FOR THE INDIANA STATE FAIR BOARD**
11 **Total Operating Expense** **2,128,859** **2,128,859**

12
13 **SECTION 7. [EFFECTIVE JULY 1, 2021]**

14
15 **TRANSPORTATION**

16
17 **FOR THE DEPARTMENT OF TRANSPORTATION**
18 **RAILROAD GRADE CROSSING IMPROVEMENT**
19 **Motor Vehicle Highway Account (IC 8-14-1)**
20 **Total Operating Expense** **750,000** **750,000**

21 **PUBLIC MASS TRANSPORTATION**
22 **Other Operating Expense** **45,000,000** **45,000,000**

23
24 **The above appropriations for public mass transportation are to be used solely for**
25 **the promotion and development of public transportation.**

26
27 **The department of transportation may distribute public mass transportation funds**
28 **to an eligible grantee that provides public transportation in Indiana.**

29
30 **The state funds can be used to match federal funds available under the Federal**
31 **Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.**

32
33 **Before funds may be disbursed to a grantee, the grantee must submit its request**
34 **for financial assistance to the department of transportation for approval. Allocations**
35 **must be approved by the governor and the budget agency and shall be made on a**
36 **reimbursement basis. Only applications for capital and operating assistance may**
37 **be approved. Only those grantees that have met the reporting requirements under**
38 **IC 8-23-3 are eligible for assistance under this appropriation.**

39
40 **AIRPORT DEVELOPMENT**
41 **Airport Development Grant Fund (IC 8-21-11)**
42 **Other Operating Expense** **3,600,000** **3,600,000**

43 **Augmentation allowed.**
44 **HIGHWAY OPERATING**
45 **State Highway Fund (IC 8-23-9-54)**
46 **Personal Services** **281,673,026** **281,673,026**
47 **Other Operating Expense** **74,645,808** **76,511,954**

48 **Augmentation allowed.**
49



1	HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT		
2	State Highway Fund (IC 8-23-9-54)		
3	Other Operating Expense	30,307,124	30,783,714
4	Augmentation allowed.		

5

6 The above appropriations for highway operating and highway vehicle and road
7 maintenance equipment may be used for the cost of providing transportation
8 for the governor.

10	HIGHWAY MAINTENANCE WORK PROGRAM		
11	State Highway Fund (IC 8-23-9-54)		
12	Other Operating Expense	121,904,082	124,646,972
13	Augmentation allowed.		

14

15 The above appropriations for the highway maintenance work program may be used for:

16 (1) materials for patching roadways and shoulders;

17 (2) repairing and painting bridges;

18 (3) installing signs and signals and painting roadways for traffic control;

19 (4) mowing, herbicide application, and brush control;

20 (5) drainage control;

21 (6) maintenance of rest areas, public roads on properties of the department

22 of natural resources, and driveways on the premises of all state facilities;

23 (7) materials for snow and ice removal;

24 (8) utility costs for roadway lighting; and

25 (9) other special maintenance and support activities consistent with the

26 highway maintenance work program.

28	HIGHWAY CAPITAL IMPROVEMENTS		
29	State Highway Fund (IC 8-23-9-54)		
30	Right-of-Way Expense	50,000,000	50,000,000
31	Formal Contracts Expense	718,224,085	805,032,075
32	Consulting Services Expense	100,000,000	100,000,000
33	Institutional Road Construction	5,000,000	5,000,000
34	Augmentation allowed for the highway capital improvements program.		

35

36 The above appropriations for the capital improvements program may be used for:

37 (1) bridge rehabilitation and replacement;

38 (2) road construction, reconstruction, or replacement;

39 (3) construction, reconstruction, or replacement of travel lanes, intersections,

40 grade separations, rest parks, and weigh stations;

41 (4) relocation and modernization of existing roads;

42 (5) resurfacing;

43 (6) erosion and slide control;

44 (7) construction and improvement of railroad grade crossings, including

45 the use of the appropriations to match federal funds for projects;

46 (8) small structure replacements;

47 (9) safety and spot improvements; and

48 (10) right-of-way, relocation, and engineering and consulting expenses

49 associated with any of the above types of projects.



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Subject to approval by the Budget Director, the above appropriation for institutional road construction may be used for road, bridge, and parking lot construction, maintenance, and improvement projects at any state-owned property.

No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

NEXT LEVEL CONNECTIONS

Next Level Connections Fund (IC 8-14-14.3)

Total Operating Expense	214,000,000	205,000,000
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Augmentation allowed

TOLL ROAD COUNTIES STATE HIGHWAY PROGRAM

Toll Road Lease Amendment Proceeds Fund (IC 8-14-14.2)

Total Operating Expense	238,000,000	196,000,000
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Augmentation allowed

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	3,780,000	3,780,000
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Augmentation allowed

STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction and Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	70,000,000	70,000,000
-------------------------------	------------	------------

Augmentation allowed.

The above appropriations for the state highway road construction and improvement program shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	38,400,000	38,400,000
------------------------------	------------	------------

Augmentation allowed.

State Highway Fund (IC 8-23-9-54)

Lease Rental Payment Expense	4,657,882	5,070,335
------------------------------	-----------	-----------

Augmentation allowed.

The above appropriations for the crossroads 2000 program shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;



1 (3) relocation and modernization of existing roads; and
 2 (4) right-of-way, relocation, and engineering and consulting expenses associated
 3 with any of the above types of projects.

4
 5 **JOINT MAJOR MOVES CONSTRUCTION**

6 Major Moves Construction Fund (IC 8-14-14-5)

7 Formal Contracts Expense	151,862,686	0
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8 Augmentation allowed.

9 **FEDERAL APPORTIONMENT**

10 Formal Contracts Expense	1,184,000,000	1,091,666,667
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11
 12 The department may establish an account to be known as the "local government
 13 revolving account". The account is to be used to administer the federal-local highway
 14 construction program. All contracts issued and all funds received for federal-local
 15 projects under this program shall be entered into this account.

16
 17 If the federal apportionments for the fiscal years covered by this act exceed the
 18 above estimated appropriations for the department or for local governments, the
 19 excess federal apportionment is hereby appropriated for use by the department with
 20 the approval of the governor and the budget agency.

21
 22 The department shall bill, in a timely manner, the federal government for all
 23 department payments that are eligible for total or partial reimbursement.

24
 25 The department may let contracts and enter into agreements for construction and
 26 preliminary engineering during each year of the 2021-2023 biennium that obligate
 27 not more than one-third (1/3) of the amount of state funds estimated by the department
 28 to be available for appropriation in the following year for formal contracts and
 29 consulting engineers for the capital improvements program.

30
 31 Under IC 8-23-5-7(a), the department, with the approval of the governor, may
 32 construct and maintain roadside parks and highways where highways will connect any
 33 state highway now existing, or hereafter constructed, with any state park, state
 34 forest preserve, state game preserve, or the grounds of any state institution. There
 35 is appropriated to the department of transportation an amount sufficient to carry
 36 out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations
 37 shall be made from the motor vehicle highway account before distribution to local
 38 units of government.

39
 40 **LOCAL TECHNICAL ASSISTANCE AND RESEARCH**

41 Motor Vehicle Highway Account (IC 8-14-1)

42 Total Operating Expense	250,000	250,000
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43
 44 The above appropriation is for developing and maintaining a centralized electronic
 45 statewide asset management data base that may be used to aggregate data on local
 46 road conditions. The data base shall be developed in cooperation with the department
 47 and the office of management and budget per IC 8-14-3-3.

48
 49 Under IC 8-14-1-3(6), there is appropriated to the department of transportation



1 **an amount sufficient for:**
 2 **(1) the program of technical assistance under IC 8-23-2-5(a)(6); and**
 3 **(2) the research and highway extension program conducted for local government under**
 4 **IC 8-17-7-4.**

6 **The department shall develop an annual program of work for research and extension**
 7 **in cooperation with those units being served, listing the types of research and**
 8 **educational programs to be undertaken. The commissioner of the department of**
 9 **transportation may make a grant under this appropriation to the institution or agency**
 10 **selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations**
 11 **for the program of technical assistance and for the program of research and extension**
 12 **shall be taken from the local share of the motor vehicle highway account.**

14 **Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to**
 15 **maintain a sufficient working balance in accounts established to match federal and**
 16 **local money for highway projects. These funds are appropriated from the following**
 17 **sources in the proportion specified:**

- 18 **(1) one-half (1/2) from the thirty-eight percent (38%) set aside of the motor vehicle**
 19 **highway account under IC 8-14-1-3(7); and**
 20 **(2) for counties and for those cities and towns with a population greater than five**
 21 **thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.**

23 **OHIO RIVER BRIDGE**

24 **State Highway Fund (IC 8-23-9-54)**

Total Operating Expense	500,000	500,000
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27 **SECTION 8. [EFFECTIVE JULY 1, 2021]**

29 **FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

31 **A. FAMILY AND SOCIAL SERVICES**

33 **FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION**

35 **FAMILY AND SOCIAL SERVICES ADMINISTRATION - CENTRAL OFFICE**

Total Operating Expense	13,602,650	13,602,650
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37 **SOCIAL SERVICES DATA WAREHOUSE**

Total Operating Expense	38,273	38,273
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39 **211 SERVICES**

Total Operating Expense	1,263,519	1,263,519
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41 **INDIANA PRESCRIPTION DRUG PROGRAM**

42 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	443,315	443,315
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44 **CHILDREN'S HEALTH INSURANCE PROGRAM ASSISTANCE**

Total Operating Expense	53,670,000	52,170,000
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46 **CHILDREN'S HEALTH INSURANCE PROGRAM ADMINISTRATION**

Total Operating Expense	1,403,000	1,403,000
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48 **OMPP STATE PROGRAMS**

Total Operating Expense	713,924	713,924
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1	MEDICAID ADMINISTRATION			
2	Total Operating Expense	36,451,919	36,451,919	
3	MEDICAID ASSISTANCE			
4	Total Operating Expense	2,747,200,000	2,873,000,000	

5
6 **The above appropriations for Medicaid assistance and for Medicaid administration**
7 **are for the purpose of enabling the office of Medicaid policy and planning to carry**
8 **out all services as provided in IC 12-8-6.5. In addition to the above appropriations,**
9 **all money received from the federal government and paid into the state treasury**
10 **as a grant or allowance is appropriated and shall be expended by the office of Medicaid**
11 **policy and planning for the respective purposes for which the money was allocated**
12 **and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein**
13 **appropriated for Medicaid assistance and for Medicaid administration are insufficient**
14 **to enable the office of Medicaid policy and planning to meet its obligations, then**
15 **there is appropriated from the general fund such further sums as may be necessary**
16 **for that purpose, subject to the approval of the governor and the budget agency.**

17	HEALTHY INDIANA PLAN			
18	Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)			
19	Total Operating Expense	103,034,565	99,134,565	
20	Augmentation allowed.			

21	MARION COUNTY HEALTH AND HOSPITAL CORPORATION			
22	Total Operating Expense	32,300,000	32,300,000	
23	MENTAL HEALTH ADMINISTRATION			
24	Total Operating Expense	2,480,903	2,480,903	

25
26
27 **Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation**
28 **shall be distributed annually to neighborhood based community service**
29 **programs.**

30	MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT			
31	Total Operating Expense	20,000,000	20,000,000	

32
33
34 **The Family and Social Services Administration shall report to the State Budget Committee**
35 **prior to November 1, 2021, on the mental health and addiction forensic treatment**
36 **services grant program including the amounts of the awards and grants, the number**
37 **of recipients receiving services, and the impacts of the program in reducing incarceration**
38 **and recidivism.**

39	CHILD PSYCHIATRIC SERVICES			
40	Total Operating Expense	13,458,508	13,458,508	

41
42
43 **The above appropriation includes \$4,500,000 in both FY 2022 and FY 2023 for the**
44 **Family and Social Services Administration to contract with no more than three regionally**
45 **diverse social services providers to implement an evidence-based program that partners**
46 **with school corporations, charter schools, and accredited nonpublic schools to provide**
47 **social work services and evidence-based prevention programs to children, parents,**
48 **caregivers, teachers, and the community to prevent substance abuse, promote healthy**
49 **behaviors, and maximize student success. In making contracts for FY 2022 and FY**



2023, the Family and Social Services Administration shall require the contracted social services providers to secure matching funds that obligates the state to no more than sixty-five percent (65%) of the total program cost and require the contracted social services providers to have experience in providing similar services including independent evaluation of those services.

CHILD ASSESSMENT NEEDS SURVEY		
Total Operating Expense	218,525	218,525
SERIOUSLY EMOTIONALLY DISTURBED		
Total Operating Expense	14,571,352	14,571,352
SERIOUSLY MENTALLY ILL		
Total Operating Expense	85,779,650	85,779,650
Mental Health Centers Fund (IC 6-7-1-32.1)		
Total Operating Expense	2,454,890	2,454,890
Augmentation allowed.		
COMMUNITY MENTAL HEALTH CENTERS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	7,200,000	7,200,000

The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be used to augment the above appropriations rather than supplant any portion of the appropriation. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	3,047,034	3,047,034
Augmentation allowed.		
SUBSTANCE ABUSE TREATMENT		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	1,257,131	1,257,131
QUALITY ASSURANCE/RESEARCH		
Total Operating Expense	304,711	304,711
PREVENTION		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	1,572,675	1,572,675
Augmentation allowed.		
METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM		
Opioid Treatment Program Fund (IC 12-23-18-4)		
Total Operating Expense	363,995	363,995
Augmentation allowed.		
DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM		



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
2	Total Operating Expense	250,000	250,000
3	Augmentation allowed.		
4	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER		
5	Total Operating Expense	1,539,869	1,539,869
6	Mental Health Fund (IC 12-24-14-4)		
7	Total Operating Expense	2,209,422	2,209,422
8	Augmentation allowed.		
9	EVANSVILLE STATE HOSPITAL		
10	Total Operating Expense	22,896,280	22,896,280
11	Mental Health Fund (IC 12-24-14-4)		
12	Total Operating Expense	4,340,134	4,340,134
13	Augmentation allowed.		
14	LARUE CARTER MEMORIAL HOSPITAL		
15	Total Operating Expense	414,749	414,749
16	LOGANSPOUR STATE HOSPITAL		
17	Total Operating Expense	31,201,089	31,201,089
18	Mental Health Fund (IC 12-24-14-4)		
19	Total Operating Expense	1,410,464	1,410,464
20	Augmentation allowed.		
21	MADISON STATE HOSPITAL		
22	Total Operating Expense	25,147,845	25,147,845
23	Mental Health Fund (IC 12-24-14-4)		
24	Total Operating Expense	2,796,667	2,796,667
25	Augmentation allowed.		
26	RICHMOND STATE HOSPITAL		
27	Total Operating Expense	32,969,553	32,969,553
28	Mental Health Fund (IC 12-24-14-4)		
29	Total Operating Expense	2,062,201	2,062,201
30	Augmentation allowed.		
31	NEURO DIAGNOSTIC INSTITUTE		
32	Total Operating Expense	30,618,869	30,001,556
33	Mental Health Fund (IC 12-24-14-4)		
34	Total Operating Expense	4,671,125	5,288,438
35	Augmentation allowed.		
36			
37	PATIENT PAYROLL		
38	Total Operating Expense	148,533	148,533
39			
40	The federal share of revenue accruing to the state mental health institutions under		
41	IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP),		
42	shall be deposited in the mental health fund established by IC 12-24-14, and the		
43	remainder shall be deposited in the general fund.		
44			
45	DIVISION OF FAMILY RESOURCES ADMINISTRATION		
46	Total Operating Expense	1,994,565	1,994,565
47	EBT ADMINISTRATION		
48	Total Operating Expense	114,079	114,079
49	DFR - COUNTY ADMINISTRATION		



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	Total Operating Expense	85,115,284	84,315,284
2	INDIANA ELIGIBILITY SYSTEM		
3	Total Operating Expense	8,377,529	8,377,529
4	SNAP/IMPACT ADMINISTRATION		
5	Total Operating Expense	9,555,726	9,555,726
6	TEMPORARY ASSISTANCE TO NEEDY FAMILIES – STATE APPROPRIATION		
7	Total Operating Expense	17,886,301	17,886,301
8	BURIAL EXPENSES		
9	Tobacco Master Settlement Fund (IC 4-12-1-14.3)		
10	Total Operating Expense	5,816,761	5,816,761
11	DIVISION OF AGING ADMINISTRATION		
12	Total Operating Expense	751,057	751,057
13	DIVISION OF AGING SERVICES		
14	Total Operating Expense	563,561	563,561
15	ROOM AND BOARD ASSISTANCE (R-CAP)		
16	Total Operating Expense	6,483,801	6,483,801
17	C.H.O.I.C.E. IN-HOME SERVICES		
18	Total Operating Expense	43,914,740	44,240,193
19			
20	The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental		
21	transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.		
22			
23	The intragovernmental transfers for use in the Medicaid aged and disabled waiver		
24	may not exceed \$18,000,000 annually.		
25			
26	The division of aging shall conduct an annual evaluation of the cost effectiveness		
27	of providing home and community-based services. Before January of each year, the		
28	division shall submit a report to the budget committee, the budget agency, and the		
29	legislative council (in an electronic format under IC 5-14-6) that covers all aspects		
30	of the division's evaluation and such other information pertaining thereto as may		
31	be requested by the budget committee, the budget agency, or the legislative council,		
32	including the following:		
33	(1) the number and demographic characteristics of the recipients of home and		
34	community-based services during the preceding fiscal year, including a separate		
35	count of individuals who received no services other than case management services		
36	(as defined in 455 IAC 2-4-10) during the preceding fiscal year;		
37	(2) the total cost and per recipient cost of providing home and community-based		
38	services during the preceding fiscal year.		
39			
40	The division shall obtain from providers of services data on their costs and		
41	expenditures regarding implementation of the program and report the findings to		
42	the budget committee, the budget agency, and the legislative council. The report		
43	to the legislative council must be in an electronic format under IC 5-14-6.		
44			
45	STATE SUPPLEMENT TO SSBG - AGING		
46	Total Operating Expense	687,396	687,396
47	OLDER HOOSIERS ACT		
48	Total Operating Expense	1,573,446	1,573,446
49	ADULT PROTECTIVE SERVICES		



1 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**
2 **Total Operating Expense** **5,220,823** **5,220,823**
3 **Augmentation allowed.**

4
5 **The above appropriations may be used for emergency adult protective services**
6 **placement. Funds shall be used to the extent that such services are not available**
7 **to an individual through a policy of accident and sickness insurance, a health**
8 **maintenance organization contract, the Medicaid program, the federal Medicare**
9 **program, or any other federal program.**

10
11 **ADULT GUARDIANSHIP SERVICES**
12 **Total Operating Expense** **405,565** **405,565**
13 **DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION**
14 **Total Operating Expense** **61,775** **61,775**
15 **BUREAU OF REHABILITATIVE SERVICES**
16 **-VOCATIONAL REHABILITATION**
17 **Total Operating Expense** **16,093,405** **16,093,405**
18 **INDEPENDENT LIVING**
19 **Total Operating Expense** **871,926** **871,926**

20
21 **The above appropriations include funding to be distributed to the centers for**
22 **independent living for independent living services.**

23
24 **REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES**
25 **Total Operating Expense** **236,402** **236,402**
26 **BLIND VENDING - STATE APPROPRIATION**
27 **Total Operating Expense** **64,295** **64,295**
28 **QUALITY IMPROVEMENT SERVICES**
29 **Total Operating Expense** **1,063,857** **1,063,857**
30 **BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES**
31 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**
32 **Other Operating Expense** **3,418,884** **3,418,884**
33 **FIRST STEPS**
34 **Total Operating Expense** **18,000,000** **18,000,000**
35 **BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DIAGNOSIS AND EVALUATION**
36 **Total Operating Expense** **20,000** **20,000**
37 **BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING**
38 **Total Operating Expense** **4,945,448** **4,945,448**

39
40 **In the development of new community residential settings for persons with developmental**
41 **disabilities, the division of disability and rehabilitative services must give priority to**
42 **the appropriate placement of such persons who are eligible for Medicaid and currently**
43 **residing in intermediate care or skilled nursing facilities and, to the extent permitted**
44 **by law, such persons who reside with aged parents or guardians or families in crisis.**

45
46 **SCHOOL AGE CHILD CARE PROJECT FUND**
47 **Total Operating Expense** **812,413** **812,413**

48
49 **The above appropriations are made under IC 6-7-1-30.2(c) and not in addition to the**



1 transfer required by IC 6-7-1-30.2(c).

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EARLY CHILDHOOD LEARNING

Total Operating Expense	28,860,246	28,860,246
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PRE-K EDUCATION PILOT

Total Operating Expense	22,005,069	22,005,069
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FOR THE DEPARTMENT OF CHILD SERVICES

CHILD SERVICES ADMINISTRATION

Total Operating Expense	266,841,467	266,841,467
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DHHS CHILD WELFARE PROGRAM

Total Operating Expense	46,554,199	46,554,199
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CHILD WELFARE SERVICES STATE GRANTS

Total Operating Expense	11,416,415	11,416,415
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TITLE IV-D CHILD SUPPORT

Total Operating Expense	13,379,008	13,379,008
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The above appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

FAMILY AND CHILDREN FUND

Total Operating Expense	482,376,260	482,376,260
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Augmentation allowed.

With the above appropriations, the department of child services may:

- (1) Operate an early intervention, home-based program pursuant to IC 31-33-8-16.
- (2) Enter into a memorandum of understanding with the Public Defender Council and Commission to recruit, train, and reimburse public defenders for the support of at risk youth and families.

YOUTH SERVICE BUREAU

Total Operating Expense	1,008,947	1,008,947
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PROJECT SAFEPLACE

Total Operating Expense	112,000	112,000
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HEALTHY FAMILIES INDIANA

Total Operating Expense	3,093,145	3,093,145
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ADOPTION SERVICES

Total Operating Expense	26,362,735	26,362,735
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TITLE IV-E ADOPTION SERVICES

Total Operating Expense	31,489,886	31,489,886
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FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU

Total Operating Expense	362,000	362,000
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B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)



		<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
		<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	Personal Services	18,627,727	18,627,727	
2	Other Operating Expense	4,484,468	4,484,468	
3	Augmentation allowed.			
4				
5	All receipts to the state department of health from licenses or permit fees shall			
6	be deposited in the state general fund.			
7				
8	AREA HEALTH EDUCATION CENTERS			
9	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
10	Total Operating Expense	2,630,676	2,630,676	
11	MINORITY HEALTH INITIATIVE			
12	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
13	Total Operating Expense	3,000,000	3,000,000	
14				
15	The above appropriations shall be allocated to the Indiana Minority Health Coalition			
16	to work with the state department on the implementation of IC 16-46-11.			
17				
18	SICKLE CELL			
19	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
20	Total Operating Expense	750,000	750,000	
21	MEDICARE-MEDICAID CERTIFICATION			
22	Total Operating Expense	5,079,399	5,079,399	
23				
24	Augmentation allowed in amounts not to exceed revenue from health facilities			
25	license fees or from health care providers (as defined in IC 16-18-2-163) fee			
26	increases or those adopted by the Executive Board of the Indiana State Department			
27	of Health under IC 16-19-3.			
28				
29	INFECTIOUS DISEASE			
30	Total Operating Expense	1,390,325	1,390,325	
31	NUTRITION ASSISTANCE			
32	Total Operating Expense	280,806	280,806	
33	HIV/AIDS SERVICES			
34	Total Operating Expense	2,925,101	2,925,101	
35	CANCER PREVENTION			
36	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
37	Total Operating Expense	664,122	664,122	
38	MATERNAL & CHILD HEALTH INITIATIVES			
39	Total Operating Expense	239,639	239,639	
40	TUBERCULOSIS TREATMENT			
41	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
42	Total Operating Expense	100,000	100,000	
43	STATE CHRONIC DISEASES			
44	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
45	Total Operating Expense	862,488	862,488	
46				
47	At least \$82,560 of the above appropriations shall be distributed as grants to community			
48	groups and organizations as provided in IC 16-46-7-8. The state department of health			
49	may consider grants to the Kidney Foundation up to \$50,000.			



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1			
2	OB NAVIGATOR PROGRAM		
3	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
4	Total Operating Expense	3,300,000	3,300,000
5	ADOPTION HISTORY		
6	Adoption History Fund (IC 31-19-18-6)		
7	Total Operating Expense	195,163	195,163
8	Augmentation allowed.		
9	CHILDREN WITH SPECIAL HEALTH CARE NEEDS		
10	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
11	Total Operating Expense	14,950,000	14,950,000
12	Augmentation allowed.		
13	NEWBORN SCREENING PROGRAM		
14	Newborn Screening Fund (IC 16-41-17-11)		
15	Total Operating Expense	2,677,762	2,677,762
16	Augmentation allowed.		
17	CENTER FOR DEAF AND HARD OF HEARING EDUCATION		
18	Total Operating Expense	2,452,677	2,452,677
19	RADON GAS TRUST FUND		
20	Radon Gas Trust Fund (IC 16-41-38-8)		
21	Total Operating Expense	10,670	10,670
22	Augmentation allowed.		
23	HEALTH ISSUES AND CHALLENGES GRANTS		
24	Total Operating Expense		50,000,000
25	SAFETY PIN PROGRAM		
26	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
27	Total Operating Expense	5,500,000	5,500,000
28	BIRTH PROBLEMS REGISTRY		
29	Birth Problems Registry Fund (IC 16-38-4-17)		
30	Total Operating Expense	73,517	73,517
31	Augmentation allowed.		
32	MOTOR FUEL INSPECTION PROGRAM		
33	Motor Fuel Inspection Fund (IC 16-44-3-10)		
34	Total Operating Expense	239,125	239,125
35	Augmentation allowed.		
36	DONATED DENTAL SERVICES		
37	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
38	Total Operating Expense	34,335	34,335
39			
40	The above appropriations shall be used by the Indiana foundation for dentistry to		
41	provide dental services to individuals who are handicapped.		
42			
43	OFFICE OF WOMEN'S HEALTH		
44	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
45	Total Operating Expense	96,970	96,970
46	SPINAL CORD AND BRAIN INJURY		
47	Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)		
48	Total Operating Expense	1,600,000	1,600,000
49	Augmentation allowed.		



1	IMMUNIZATIONS AND HEALTH INITIATIVES		
2	Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)		
3	Total Operating Expense	10,665,435	10,665,435
4	WEIGHTS AND MEASURES FUND		
5	Weights and Measures Fund (IC 16-19-5-4)		
6	Total Operating Expense	7,106	7,106
7	Augmentation allowed.		
8	MINORITY EPIDEMIOLOGY		
9	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
10	Total Operating Expense	750,000	750,000
11	COMMUNITY HEALTH CENTERS		
12	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
13	Total Operating Expense	14,453,000	14,453,000
14	PRENATAL SUBSTANCE USE & PREVENTION		
15	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
16	Total Operating Expense	119,965	119,965
17	OPIOID OVERDOSE INTERVENTION		
18	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
19	Total Operating Expense	250,000	250,000
20	NURSE FAMILY PARTNERSHIP		
21	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
22	Total Operating Expense	5,000,000	5,000,000
23	HEARING AND BLIND SERVICES		
24	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
25	Total Operating Expense	500,000	500,000

26
27 **Of the above appropriations for hearing and blind services, \$375,000 shall be annually**
28 **deposited in the Hearing Aid Fund established under IC 16-35-8-3.**
29

30	LOCAL HEALTH MAINTENANCE FUND		
31	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
32	Total Operating Expense	3,915,209	3,915,209
33	Augmentation allowed.		

34
35 **The amount appropriated from the tobacco master settlement agreement fund is in**
36 **lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law.**
37 **Of the above appropriations for the local health maintenance fund, \$60,000 each year**
38 **shall be used to provide additional funding to adjust funding through the formula in**
39 **IC 16-46-10 to reflect population increases in various counties. Money appropriated**
40 **to the local health maintenance fund must be allocated under the following schedule**
41 **each year to each local board of health whose application for funding is approved by**
42 **the state department of health:**
43

44	COUNTY POPULATION	AMOUNT OF GRANT
45	over 499,999	94,112
46	100,000 - 499,999	72,672
47	50,000 - 99,999	48,859
48	under 50,000	33,139

49



1	LOCAL HEALTH DEPARTMENT ACCOUNT		
2	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
3	Total Operating Expense	3,000,000	3,000,000
4			

5 The above appropriations for the local health department account are statutory distributions
6 under IC 4-12-7.

8	TOBACCO USE PREVENTION AND CESSATION PROGRAM		
9	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
10	Total Operating Expense	7,500,000	7,500,000
11			

12 A minimum of 90% of the above appropriations shall be distributed as grants
13 to local agencies and other entities with programs designed to reduce smoking.

15	FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED		
16	Personal Services	9,521,121	9,521,121
17	Other Operating Expense	1,876,205	1,876,205
18			

19	FOR THE INDIANA SCHOOL FOR THE DEAF		
20	Personal Services	14,394,996	14,394,996
21	Other Operating Expense	2,238,712	2,238,712
22			

23 **C. VETERANS' AFFAIRS**

25	FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS		
26	Personal Services	1,452,580	1,452,580
27	Other Operating Expense	785,536	785,536
28			

29 The above appropriations for personal services include funding for a women's
30 veteran services officer and \$300,000 each year for six state veterans services
31 officers.

33	VETERAN SERVICE ORGANIZATIONS		
34	Total Operating Expense	910,000	910,000
35			

36 The above appropriations shall be used to assist veterans in securing available
37 benefits. Of the above appropriations, the following amounts shall be allocated
38 each fiscal year to the following organizations:

- 39 American Legion: \$202,000
- 40 Disabled Veterans: \$202,000
- 41 Veterans of Foreign Wars: \$202,000
- 42 AMVETS: \$202,000
- 43 Vietnam Veterans: \$102,000

44 The allocations shall be administered by the Indiana Department of Veterans' Affairs.

48	OPERATION OF VETERANS' CEMETERY		
49	Total Operating Expense	350,000	350,000



1	INDIANA VETERANS' HOME		
2	Veterans' Home Comfort and Welfare Fund (IC 10-17-9-7(d))		
3	Total Operating Expense	10,000,000	10,000,000
4	IVH Medicaid Reimbursement Fund		
5	Total Operating Expense	14,500,000	14,500,000
6	Augmentation allowed from the Comfort and Welfare Fund and the IVH Medicaid		
7	Reimbursement Fund.		

8

9 **SECTION 9. [EFFECTIVE JULY 1, 2021]**

10

11 **EDUCATION**

12

13 **A. HIGHER EDUCATION**

14

15 **FOR INDIANA UNIVERSITY**

16 **BLOOMINGTON CAMPUS**

17	Total Operating Expense	201,961,310	198,962,890
18	Fee Replacement	20,864,079	20,740,449

19

20 **FOR INDIANA UNIVERSITY REGIONAL CAMPUSES**

21 **EAST**

22	Total Operating Expense	14,047,315	15,042,686
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23 **KOKOMO**

24	Total Operating Expense	16,059,485	16,526,185
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25 **NORTHWEST**

26	Total Operating Expense	18,870,523	19,608,142
27	Fee Replacement	4,181,247	4,190,132

28 **SOUTH BEND**

29	Total Operating Expense	24,873,721	25,266,685
30	Fee Replacement	1,445,375	1,451,375

31 **SOUTHEAST**

32	Total Operating Expense	20,890,749	21,181,815
33	Fee Replacement	1,689,180	1,702,750

34 **FORT WAYNE HEALTH SCIENCES PROGRAM**

35	Total Operating Expense	4,971,250	4,971,250
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36			
37	TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES		
38		107,028,845	109,941,020

39

40 **FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY**

41 **AT INDIANAPOLIS (IUPUI)**

42 **I. U. SCHOOLS OF MEDICINE AND DENTISTRY**

43	Total Operating Expense	105,712,799	107,827,053
44	Fee Replacement	7,006,738	6,982,835

45

46 **FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE**

47 **INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE**

48	Total Operating Expense	2,212,633	2,256,886
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49 **INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE**



		<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
		<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	Total Operating Expense	2,068,129	2,109,492	
2	INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY			
3	Total Operating Expense	2,766,537	2,821,868	
4	INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE			
5	Total Operating Expense	2,513,302	2,563,568	
6	INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE			
7	Total Operating Expense	2,300,988	2,347,008	
8	INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND			
9	Total Operating Expense	2,163,502	2,206,772	
10	INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE			
11	Total Operating Expense	2,500,983	2,551,003	

12
13 **The Indiana University School of Medicine - Indianapolis shall submit to the Indiana**
14 **commission for higher education before May 15 of each year an accountability report**
15 **containing data on the number of medical school graduates who entered primary care**
16 **physician residencies in Indiana from the school's most recent graduating class.**

17
18 **FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)**

19 **GENERAL ACADEMIC DIVISIONS**

20	Total Operating Expense	111,103,662	122,110,562	
21	Fee Replacement	6,910,541	6,926,049	

22
23 **TOTAL APPROPRIATIONS - IUPUI**

24 **247,259,814 260,703,096**

25
26 **Transfers of allocations between campuses to correct for errors in allocation among**
27 **the campuses of Indiana University can be made by the institution with the approval**
28 **of the commission for higher education and the budget agency. Indiana University**
29 **shall maintain current operations at all statewide medical education sites.**

30
31 **DUAL CREDIT**

32	Total Operating Expense	4,726,350	4,726,350	
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33 **CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE**

34	Total Operating Expense	2,500,000	2,500,000	
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35 **GLOBAL NETWORK OPERATIONS CENTER**

36	Total Operating Expense	721,861	721,861	
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37 **SPINAL CORD AND HEAD INJURY RESEARCH CENTER**

38	Total Operating Expense	553,429	553,429	
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39 **INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES**

40	Total Operating Expense	2,491,824	2,491,824	
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41
42 **Of the above appropriations, \$386,000 per year shall be used to provide technology**
43 **support, technical assistance, and school improvement assistance to aid in educating**
44 **students with autism and other developmental disabilities.**

45
46 **GEOLOGICAL SURVEY**

47	Total Operating Expense	2,783,782	2,783,782	
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48 **I-LIGHT NETWORK OPERATIONS**

49	Total Operating Expense	1,508,628	1,508,628	
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HB 1001—LS 7431/DI 120



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	GIGAPOP PROJECT		
2	Total Operating Expense		
3	672,562	672,562	
4	FOR PURDUE UNIVERSITY		
5	WEST LAFAYETTE		
6	Total Operating Expense		
7	222,755,871	223,527,695	
8	Fee Replacement		
9	32,152,425	29,002,950	
10	NORTHWEST		
11	Total Operating Expense		
12	46,730,203	48,297,564	
13	Fee Replacement		
14	3,892,013	3,891,013	
15	FORT WAYNE		
16	Total Operating Expense		
17	43,460,880	44,856,416	
18	Fee Replacement		
19	3,039,750	3,036,000	
20	COLLEGE OF VETERINARY MEDICINE		
21	Total Operating Expense		
22	18,056,523	18,417,653	
23	Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.		
24	DUAL CREDIT		
25	Total Operating Expense		
26	1,018,450	1,018,450	
27	ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM		
28	Total Operating Expense		
29	3,711,561	3,711,561	
30	The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.		
31	STATEWIDE TECHNOLOGY		
32	Total Operating Expense		
33	6,695,258	6,695,258	
34	COUNTY AGRICULTURAL EXTENSION EDUCATORS		
35	Total Operating Expense		
36	7,487,816	7,487,816	
37	AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		
38	Total Operating Expense		
39	8,492,325	8,492,325	
40	CENTER FOR PARALYSIS RESEARCH		
41	Total Operating Expense		
42	522,558	522,558	
43	IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM		
44	Total Operating Expense		
45	4,430,212	4,430,212	
46	FOR INDIANA STATE UNIVERSITY		
47	Total Operating Expense		
48	72,063,968	74,498,951	
49	Fee Replacement		
50	11,044,480	11,051,288	



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	221,800	221,800	
2	NURSING PROGRAM			
3	Total Operating Expense	204,000	204,000	
4	PRINCIPAL LEADERSHIP ACADEMY			
5	Total Operating Expense	600,000	600,000	
6	DEGREE LINK			
7	Total Operating Expense	446,438	446,438	
8				
9	FOR UNIVERSITY OF SOUTHERN INDIANA			
10	Total Operating Expense	48,210,149	51,038,023	
11	Fee Replacement	14,377,159	12,317,288	
12	DUAL CREDIT			
13	Total Operating Expense	617,200	617,200	
14	HISTORIC NEW HARMONY			
15	Total Operating Expense	486,878	486,878	
16				
17	FOR BALL STATE UNIVERSITY			
18	Total Operating Expense	134,408,873	133,010,951	
19	Fee Replacement	24,739,019	24,741,019	
20	DUAL CREDIT			
21	Total Operating Expense	265,350	265,350	
22	ENTREPRENEURIAL COLLEGE			
23	Total Operating Expense	2,500,000	2,500,000	
24	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES			
25	Total Operating Expense	4,384,956	4,384,956	
26				
27	FOR VINCENNES UNIVERSITY			
28	Total Operating Expense	43,561,521	44,475,375	
29	Fee Replacement	6,204,550	5,507,270	
30	DUAL CREDIT			
31	Total Operating Expense	4,794,850	4,794,850	
32	CAREER AND TECHNICAL EARLY COLLEGE PROGRAM			
33	Total Operating Expense	3,000,000	3,000,000	
34				
35	Additional Early College sites may be established upon approval by the Commission for			
36	Higher Education and review by the budget committee.			
37				
38	FOR IVY TECH COMMUNITY COLLEGE			
39	Total Operating Expense	229,890,923	235,110,368	
40	Fee Replacement	28,938,873	28,484,398	
41	DUAL CREDIT			
42	Total Operating Expense	18,970,800	18,970,800	
43	STATEWIDE NURSING			
44	Total Operating Expense	85,411	85,411	
45	TESTING CENTERS			
46	Total Operating Expense	710,810	710,810	
47	INDIANA RURAL EDUCATION INITIATIVE			
48	Total Operating Expense	1,057,738	1,057,738	
49				



1 The sums herein appropriated to Indiana University, Purdue University, Indiana State
2 University, University of Southern Indiana, Ball State University, Vincennes University,
3 and Ivy Tech Community College are in addition to all income of said institutions,
4 respectively, from all permanent fees and endowments and from all land grants, fees,
5 earnings, and receipts, including gifts, grants, bequests, and devises, and receipts
6 from any miscellaneous sales from whatever source derived.

7
8 All such income and all such fees, earnings, and receipts on hand June 30, 2021,
9 and all such income and fees, earnings, and receipts accruing thereafter are hereby
10 appropriated to the boards of trustees or directors of the aforementioned institutions
11 and may be expended for any necessary expenses of the respective institutions, including
12 university hospitals, schools of medicine, nurses' training schools, schools of dentistry,
13 and agricultural extension and experimental stations. However, such income, fees,
14 earnings, and receipts may be used for land and structures only if approved by the
15 governor and the budget agency.

16
17 The above appropriations to Indiana University, Purdue University, Indiana State
18 University, University of Southern Indiana, Ball State University, Vincennes University,
19 and Ivy Tech Community College include the employers' share of Social Security payments
20 for university employees under the public employees' retirement fund, or institutions
21 covered by the Indiana state teachers' retirement fund. The funds appropriated also
22 include funding for the employers' share of payments to the public employees' retirement
23 fund and to the Indiana state teachers' retirement fund at a rate to be established
24 by the retirement funds for both fiscal years for each institution's employees covered
25 by these retirement plans.

26
27 The treasurers of Indiana University, Purdue University, Indiana State University,
28 University of Southern Indiana, Ball State University, Vincennes University, and
29 Ivy Tech Community College shall, at the end of each three (3) month period,
30 prepare and file with the auditor of state a financial statement that shall show
31 in total all revenues received from any source, together with a consolidated
32 statement of disbursements for the same period. The budget director shall
33 establish the requirements for the form and substance of the reports.

34
35 The reports of the treasurer also shall contain in such form and in such detail as
36 the governor and the budget agency may specify, complete information concerning
37 receipts from all sources, together with any contracts, agreements, or arrangements
38 with any federal agency, private foundation, corporation, or other entity from which
39 such receipts accrue.

40
41 All such treasurers' reports are matters of public record and shall include without
42 limitation a record of the purposes of any and all gifts and trusts with the sole
43 exception of the names of those donors who request to remain anonymous.

44
45 Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers
46 of Indiana University, Purdue University, Indiana State University, University of
47 Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community
48 College on the basis of vouchers stating the total amount claimed against each fund or
49 account, or both, but not to exceed the legally made appropriations.



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For universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech Community College are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL EDUCATION BOARD

FAMILY PRACTICE RESIDENCY FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,852,698	1,852,698
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Of the above appropriations, \$1,000,000 each year shall be distributed as grants for the purpose of improving family practice residency programs serving medically underserved areas.

FOR THE GRADUATE MEDICAL EDUCATION BOARD

MEDICAL RESIDENCY EDUCATION GRANTS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	4,000,000	4,000,000
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The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	2,764,059	2,764,059
--------------------------------	------------------	------------------

FREEDOM OF CHOICE GRANTS

Total Operating Expense	66,225,902	66,225,902
--------------------------------	-------------------	-------------------

HIGHER EDUCATION AWARD PROGRAM

Total Operating Expense	101,425,081	101,425,081
--------------------------------	--------------------	--------------------

For the higher education awards and freedom of choice grants made for the biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:



- 1 (1) The commission shall maintain the proportionality of award maximums for public,
 2 private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
 3 (2) Minimum Award: No award shall be less than \$600.
 4 (3) The commission shall reduce award amounts as necessary to stay within the appropriation.

5			
6	TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND		
7	PUBLIC SAFETY OFFICERS		
8	Total Operating Expense	31,773,696	31,773,696
9	MIDWEST HIGHER EDUCATION COMPACT		
10	Total Operating Expense	115,000	115,000
11	ADULT STUDENT GRANT APPROPRIATION		
12	Total Operating Expense	7,579,858	7,579,858

13

14 Priority for awards made from the above appropriation shall be given first to eligible
 15 students meeting TANF income eligibility guidelines as determined by the family
 16 and social services administration and second to eligible students who received
 17 awards from the adult grant fund during the school year associated with the biennial
 18 budget year. Funds remaining shall be distributed according to procedures established
 19 by the commission. The maximum grant that an applicant may receive for a particular
 20 academic term shall be established by the commission but shall in no case be greater
 21 than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant
 22 were a full-time student. The commission shall collect and report to the family and
 23 social services administration (FSSA) all data required for FSSA to meet the data
 24 collection and reporting requirements in 45 CFR Part 265.

25

26 The family and social services administration, division of family resources, shall
 27 apply all qualifying expenditures for the part-time grant program toward Indiana's
 28 maintenance of effort under the federal Temporary Assistance for Needy Families
 29 (TANF) program (45 CFR 260 et seq.).

30			
31	STEM TEACHER RECRUITMENT FUND		
32	Total Operating Expense	5,000,000	5,000,000

33

34 The above appropriations may be used to provide grants to nonprofit organizations
 35 that place new science, technology, engineering, and math teachers in elementary
 36 and high schools located in underserved areas.

37			
38	TEACHER RESIDENCY GRANT PROGRAM (IC 21-18-15.1)		
39	Total Operating Expense	1,000,000	1,000,000
40	MINORITY TEACHER SCHOLARSHIP FUND (IC 21-13-2-1)		
41	Total Operating Expense	400,000	400,000
42	HIGH NEED STUDENT TEACHING STIPEND FUND (IC 21-13-7)		
43	Total Operating Expense	450,000	450,000
44	MINORITY STUDENT TEACHING STIPEND FUND (IC 21-13-8)		
45	Total Operating Expense	50,000	50,000
46	EARN INDIANA WORK STUDY PROGRAM		
47	Total Operating Expense	606,099	606,099
48	21ST CENTURY - ADMINISTRATIVE		
49	Total Operating Expense	1,645,774	1,645,774



1 **21ST CENTURY SCHOLAR AWARDS**

2 **Total Operating Expense 166,270,623 166,270,623**

3
4 **The commission shall collect and report to the family and social services administration**
5 **(FSSA) all data required for FSSA to meet the data collection and reporting requirements**
6 **in 45 CFR 265.**

7
8 **The division of family resources shall apply all qualifying expenditures for the 21st**
9 **century scholar program toward Indiana's maintenance of effort under the federal**
10 **Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).**

11
12 **WORK AND LEARN INDIANA**

13 **Total Operating Expense 250,000 250,000**

14 **NEXT GENERATION HOOSIER EDUCATORS**

15 **Total Operating Expense 6,082,400 6,082,400**

16 **NATIONAL GUARD TUITION SCHOLARSHIP**

17 **Total Operating Expense 3,676,240 3,676,240**

18
19 **The above appropriations for national guard scholarships plus reserve balances in**
20 **the fund shall be the total allowable state expenditure for the program in the**
21 **biennium.**

22
23 **PRIMARY CARE SCHOLARSHIP**

24 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

25 **Total Operating Expense 2,000,000 2,000,000**

26
27 **The above appropriations for primary care scholarships shall be distributed in accordance**
28 **with IC 21-13-9.**

29
30 **LEARN MORE INDIANA**

31 **Total Operating Expense 582,295 582,295**

32 **STATEWIDE TRANSFER AND TECHNOLOGY**

33 **Total Operating Expense 913,263 913,263**

34 **HIGH VALUE WORKFORCE READY CREDIT BEARING GRANT (IC 21-12-8)**

35 **Total Operating Expense 1,000,000 1,000,000**

36
37 **The above appropriations may be used to provide grants to adults who pursue high**
38 **value certificates.**

39
40 **FOR THE DEPARTMENT OF ADMINISTRATION**

41 **COLUMBUS LEARNING CENTER LEASE PAYMENT**

42 **Total Operating Expense 4,933,000 4,988,000**

43
44 **B. ELEMENTARY AND SECONDARY EDUCATION**

45
46 **FOR THE DEPARTMENT OF EDUCATION**

47 **17,529,420 17,529,420**

48 **Professional Standards Fund (IC 20-28-2-10)**

49 **1,237,940 1,237,940**



1 **Augmentation allowed from the Professional Standards Fund.**

2

3 **The amounts specified from the General Fund and the Professional Standards Fund**
 4 **are for the following purposes:**

5

6 Personal Services	13,499,980	13,499,980
7 Other Operating Expense	5,267,380	5,267,380

8

9 **The above appropriations include funds to provide state support to educational service**
 10 **centers.**

11

12 **PUBLIC TELEVISION DISTRIBUTION**

13 Total Operating Expense	3,123,750	3,123,750
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14

15 **The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan**
 16 **for the eight Indiana public television stations for approval by the budget agency**
 17 **after review by the budget committee. Of the above appropriations, at least one**
 18 **seventh of the funds each year shall be set aside and distributed equally among**
 19 **all of the public radio stations.**

20

21 **STEM PROGRAM ALIGNMENT**

22 Total Operating Expense	3,000,000	3,000,000
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23

24 **The above appropriations for STEM program alignment shall be used to provide grants**
 25 **to high-need schools (as determined by a needs assessment conducted in partnership**
 26 **with a state research institution) for the purpose of implementing qualified STEM**
 27 **curricula and professional development plans, to develop methods of evaluating STEM**
 28 **curricula and professional development plans for the purpose of awarding STEM grants,**
 29 **to develop a system for measuring student growth in critical thinking, problem-solving,**
 30 **and other STEM-based skills in schools that receive STEM grants. The department**
 31 **shall provide an annual report to the general assembly, the office of the governor,**
 32 **and the state board of education describing the department's progress toward**
 33 **implementing the state's STEM plan. All data collected by the department shall be**
 34 **tracked electronically and shared with the management and performance hub for the**
 35 **purpose of collecting longitudinal data.**

36

37 **Of the above appropriations, \$300,000 each fiscal year shall be used to partner**
 38 **with the commission for higher education to provide professional development and**
 39 **technical assistance to schools that pilot the transitions math course for students**
 40 **transitioning from secondary to post-secondary education.**

41

42 **INDIANA BAR FOUNDATION - WE THE PEOPLE**

43 Total Operating Expense	300,000	300,000
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44

45 **RILEY HOSPITAL**

46 Total Operating Expense	212,500	212,500
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47

48 **BEST BUDDIES**

49 Total Operating Expense	175,206	175,206
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49

SCHOOL TRAFFIC SAFETY

Total Operating Expense	227,143	227,143
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1	CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM		
2	Total Operating Expense	36,700,000	47,500,000
3	Augmentation allowed.		
4	SPECIAL EDUCATION (S-5)		
5	Total Operating Expense		48,140,000
6			

7 The above appropriations for special education are made under IC 20-35-6-2.

8			
9	NEXT LEVEL COMPUTER SCIENCE PROGRAM		
10	Total Operating Expense	3,000,000	3,000,000
11	SPECIAL EDUCATION EXCISE		
12	Excise Tax Funds of the Alcohol Beverage Commission (IC 20-35-4-4)		
13	Total Operating Expense	172,856	172,856
14	Augmentation allowed.		
15	TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION		
16	Total Operating Expense	2,157,521	2,157,521
17			

18 The above appropriations shall be distributed by the department of education on a
 19 monthly basis and in approximately equal payments to special education cooperatives,
 20 area career and technical education schools, and other governmental entities that
 21 received state teachers' Social Security distributions for certified education personnel
 22 (excluding the certified education personnel funded through federal grants) during
 23 the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units
 24 under the Indiana state teachers' retirement fund, the amount they received during
 25 the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be
 26 distributed is greater than the total appropriation, the department of education
 27 shall reduce each entity's distribution proportionately.

28			
29	DISTRIBUTION FOR TUITION SUPPORT		
30	Total Operating Expense	7,608,330,000	7,798,540,000
31			

32 The above appropriations for tuition support are to be distributed in accordance
 33 with a statute enacted for this purpose during the 2021 session of the general assembly.

34
 35 If the above appropriations for distribution for tuition support are more than the
 36 amount required by statute, the excess shall revert to the general fund.

37
 38 The above appropriations for tuition support shall be made each fiscal year under
 39 a schedule set by the budget agency and approved by the governor. The schedule shall
 40 provide for at least twelve (12) payments made at least once every forty (40) days,
 41 and the aggregate of the payments in each fiscal year shall equal the amount required
 42 by statute.

43			
44	TEACHER APPRECIATION GRANTS		
45	Total Operating Expense	37,500,000	37,500,000
46			

47 It is the intent of the 2021 general assembly that the above appropriations for
 48 teacher appreciation grants shall be the total allowable state expenditure for the
 49 program. If disbursements are anticipated to exceed the total appropriation for



1 a state fiscal year, the department of education shall reduce the distributions
 2 proportionately.

3

4 **DISTRIBUTION FOR SUMMER SCHOOL**

5 Total Operating Expense	18,360,000	18,360,000
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6

7 It is the intent of the 2021 general assembly that the above appropriations for
 8 summer school shall be the total allowable state expenditure for the program.
 9 Therefore, if the expected disbursements are anticipated to exceed the total
 10 appropriation for that state fiscal year, then the department of education shall
 11 reduce the distributions proportionately.

12

13 **DISTRIBUTION FOR ADULT LEARNERS**

14 Total Operating Expense	40,331,250	40,331,250
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15 **EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT**

16 Total Operating Expense	3,225,130	3,225,130
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17

18 The above appropriations for the early intervention program may be used for grants
 19 to local school corporations for grant proposals for early intervention programs.

20

21 The above appropriations may be used by the department of education for the reading
 22 diagnostic assessment and subsequent remedial programs or activities. The reading
 23 diagnostic assessment program, as approved by the board, is to be made available
 24 on a voluntary basis to all Indiana public and accredited nonpublic school first
 25 and second grade students upon the approval of the governing body of the school
 26 corporations or the accredited nonpublic school. The board shall determine how the
 27 funds will be distributed for the assessment and related remediation. The department
 28 or its representative shall provide progress reports on the assessment as requested
 29 by the board.

30

31 **NATIONAL SCHOOL LUNCH PROGRAM**

32 Total Operating Expense	5,033,086	5,108,582
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33 **CURRICULAR MATERIAL REIMBURSEMENT**

34 Total Operating Expense	39,000,000	39,000,000
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35

36 Before a school corporation or an accredited nonpublic school may receive a
 37 distribution under the textbook reimbursement program, the school corporation
 38 or accredited nonpublic school shall provide to the department the requirements
 39 established in IC 20-33-5-2. The department shall provide to the family and social
 40 services administration (FSSA) all data required for FSSA to meet the data collection
 41 reporting requirement in 45 CFR 265. The family and social services administration,
 42 division of family resources, shall apply all qualifying expenditures for the textbook
 43 reimbursement program toward Indiana's maintenance of effort under the federal
 44 Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

45

46 **TESTING**

47 Total Operating Expense	22,355,000	22,355,000
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48

49 The above appropriations are for assessments, including special education alternate



1 assessments, as determined by the state board of education and the department of
 2 education.

3

4 **REMEDATION TESTING**

5 Total Operating Expense	11,711,344	11,711,344
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6

7 The above appropriations for remediation testing are for grants to public and accredited
 8 nonpublic schools through the department of education. Public and accredited nonpublic
 9 schools shall use the grants to fund formative tests to identify students who require
 10 remediation. Prior to distribution to public and accredited nonpublic schools, the
 11 grant amounts and formula shall be submitted to the state board of education and
 12 the budget agency for review and approval, and the department of education shall
 13 provide a report to the budget committee.

14

15 **ADVANCED PLACEMENT PROGRAM**

16 Other Operating Expense	5,200,000	5,200,000
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17

18 The above appropriations for the Advanced Placement Program are to provide funding
 19 for students of accredited public and nonpublic schools to take the College Board
 20 Advanced Placement math, English, and science exams. Any remaining funds available
 21 after exam fees have been paid shall be prioritized for use by teachers of math
 22 and science Advanced Placement courses to attend professional development training
 23 for those courses.

24

25 **PSAT PROGRAM**

26 Other Operating Expense	1,900,000	1,900,000
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27

28 The above appropriations for the PSAT program are to provide funding for students
 29 of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.

30

31 **NON-ENGLISH SPEAKING PROGRAM**

32 Total Operating Expense	25,000,000	25,000,000
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33 **Augmentation allowed.**

34

35 The above appropriations for the Non-English Speaking Program are for students
 36 who have a primary language other than English and limited English proficiency,
 37 as determined by using the WIDA Consortium ACCESS assessment.

38

39 The grant amount is determined as follows:

- 40 (1) Determine the number of students who score at level one (1) or level two (2)
 41 on the WIDA Consortium ACCESS assessment or who are English language learners who
 42 have severe special needs that require a different test to assess English proficiency
 43 multiplied by four hundred seventy-seven dollars (\$477) for state fiscal years beginning
 44 after June 30, 2021.
- 45 (2) Determine the number of students who score at level three (3) or level four (4)
 46 on the WIDA Consortium ACCESS assessment or who score at level five (5) or higher
 47 on the Tier A form of the WIDA Consortium ACCESS assessment multiplied by three
 48 hundred thirty-three dollars (\$333) for state fiscal years beginning after June 30, 2021.
- 49 (3) Determine the sum of the subdivision (1) amount plus the subdivision (2) amount.



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GIFTED AND TALENTED EDUCATION PROGRAM

Total Operating Expense	11,095,389	11,095,389
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In each fiscal year, \$500,000 shall be made available to school corporations and charter schools to purchase verbal and quantitative reasoning tests to be administered to all students within the corporation or charter school that are enrolled in kindergarten, second grade, and fifth grade.

ALTERNATIVE EDUCATION

Total Operating Expense	5,306,394	5,306,394
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The above appropriations include funding to provide \$10,000 for each child in recovery from alcohol or drug abuse who attends a charter school accredited by the National Association of Recovery Schools. This funding is in addition to tuition support for the charter school.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM

Total Operating Expense	3,086,071	3,086,071
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The department shall use the funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants.

SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY

Total Operating Expense	127,500	127,500
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The department shall make available the above appropriations to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

SCHOOL INTERNET CONNECTION

Total Operating Expense	3,415,000	3,415,000
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DUAL IMMERSION PILOT PROGRAM

Total Operating Expense	425,000	425,000
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FOR THE STATE BOARD OF EDUCATION

Total Operating Expense	1,831,499	1,831,499
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The above appropriations for the Indiana state board of education are for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks, for special evaluation and research projects, including national and international assessments, and for state board administrative expenses.

FOR THE INDIANA CHARTER SCHOOL BOARD

Total Operating Expense	444,059	444,059
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1 **FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**
2 **TEACHERS' RETIREMENT FUND DISTRIBUTION**
3 **Other Operating Expense 950,000,000 975,000,000**
4 **Augmentation allowed.**

5
6 **If the amount actually required under the pre-1996 account of the teachers'**
7 **retirement fund for actual benefits for the Post Retirement Pension Increases that**
8 **are funded on a "pay as you go" basis plus the base benefits under the pre-1996**
9 **account of the teachers' retirement fund is:**

- 10 (1) greater than the above appropriations for a year, after notice to the governor
11 and the budget agency of the deficiency, the above appropriation for the year shall
12 be augmented from the state general fund. Any augmentation shall be included in
13 the required pension stabilization calculation under IC 5-10.4; or
14 (2) less than the above appropriations for a year, the excess shall be retained in the
15 state general fund. The portion of the benefit funded by the annuity account and
16 the actuarially funded Post Retirement Pension Increases shall not be part of this
17 calculation.

18
19 **C. OTHER EDUCATION**

20
21 **FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD**
22 **Personal Services 821,734 821,734**
23 **Other Operating Expense 162,971 162,971**

24
25 **FOR THE STATE LIBRARY**
26 **Personal Services 2,508,960 2,508,960**
27 **Other Operating Expense 256,603 256,603**

28 **STATEWIDE LIBRARY SERVICES**
29 **Total Operating Expense 1,184,343 1,184,343**

30 **LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES**
31 **Other Operating Expense 153,000 153,000**

32 **ACADEMY OF SCIENCE**
33 **Total Operating Expense 4,357 4,357**

34 **HISTORICAL MARKER PROGRAM**
35 **Total Operating Expense 8,649 8,649**

36 **INSPIRE**
37 **Total Operating Expense 1,382,250 1,382,250**

38 **LOCAL LIBRARY CONNECTIVITY GRANT**
39 **Total Operating Expense 1,419,434 1,419,434**

40
41 **FOR THE ARTS COMMISSION**
42 **Personal Services 529,978 529,978**
43 **Other Operating Expense 2,802,439 2,802,439**

44
45 **The above appropriations to the arts commission includes \$650,000 each year to**
46 **provide grants to:**

- 47 (1) the arts organizations that have most recently qualified for general operating
48 support as major arts organizations as determined by the arts commission; and
49 (2) the significant regional organizations that have most recently qualified



1 for general operating support as mid-major arts organizations, as determined
 2 by the arts commission and its regional re-granting partners.

3

4 SECTION 10. [EFFECTIVE JULY 1, 2021]

5

6 DISTRIBUTIONS

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8 FOR THE AUDITOR OF STATE

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9 GAMING TAX

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16 SECTION 11. [EFFECTIVE JULY 1, 2021]

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

26 SECTION 12. [EFFECTIVE JULY 1, 2021]

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly



1 approved travel outside the continental United States. However, while traveling
2 in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four
3 (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance
4 shall not be less than \$85 for any twenty-four (24) hour period. While traveling
5 in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum
6 meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

7
8 In the case of the state supported institutions of postsecondary education, approval
9 for out-of-state travel may be given by the chief executive officer of the institution,
10 or the chief executive officer's authorized designee, for the chief executive officer's
11 respective personnel.

12
13 Before reimbursing overnight travel expenses, the auditor of state shall require
14 documentation as prescribed in the state travel policies and procedures established
15 by the Indiana department of administration and the budget agency. No appropriation
16 from any fund may be construed as authorizing the payment of any sum in excess of
17 the standard mileage rates for personally owned transportation equipment established
18 by the federal Internal Revenue Service when used in the discharge of state business.
19 The Indiana department of administration and the budget agency may adopt policies
20 and procedures relative to the reimbursement of travel and moving expenses of new
21 state employees and the reimbursement of travel expenses of prospective employees
22 who are invited to interview with the state.

23
24 **SECTION 13. [EFFECTIVE JULY 1, 2021]**

25
26 Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions,
27 and councils who are entitled to a salary per diem is equal to \$100 per day. However,
28 members of boards, commissions, or councils who receive an annual or a monthly salary
29 paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

30
31 **SECTION 14. [EFFECTIVE JULY 1, 2021]**

32
33 No payment for personal services shall be made by the auditor of state unless the
34 payment has been approved by the budget agency or the designee of the budget agency.

35
36 **SECTION 15. [EFFECTIVE JULY 1, 2021]**

37
38 No warrant for operating expenses, capital outlay, or fixed charges shall be issued
39 to any department or an institution unless the receipts of the department or institution
40 have been deposited into the state treasury for the month. However, if a department
41 or an institution has more than \$10,000 in daily receipts, the receipts shall be
42 deposited into the state treasury daily.

43
44 **SECTION 16. [EFFECTIVE JULY 1, 2021]**

45
46 In case of loss by fire or any other cause involving any state institution or department,
47 the proceeds derived from the settlement of any claim for the loss shall be deposited
48 in the state treasury, and the amount deposited is hereby reappropriated to the
49 institution or department for the purpose of replacing the loss. If it is determined



1 that the loss shall not be replaced, any funds received from the settlement of a
2 claim shall be deposited into the state general fund.

3
4 SECTION 17. [EFFECTIVE JULY 1, 2021]

5
6 If an agency has computer equipment in excess of the needs of that agency, then
7 the excess computer equipment may be sold under the provisions of surplus property
8 sales, and the proceeds of the sale or sales shall be deposited in the state treasury.
9 The amount so deposited is hereby reappropriated to that agency for other operating
10 expenses of the then current year, if approved by the director of the budget agency.
11

12 SECTION 18. [EFFECTIVE JULY 1, 2021]

13
14 This act does not authorize any rehabilitation and repairs to any state buildings,
15 nor does it allow that any obligations be incurred for lands and structures, without
16 the prior approval of the budget director or the director's designee. This SECTION
17 does not apply to contracts for the state universities supported in whole or in part
18 by state funds.
19

20 SECTION 19. [EFFECTIVE JULY 1, 2021]

21
22 If an agency has an annual appropriation fixed by law, and if the agency also receives
23 an appropriation in this act for the same function or program, the appropriation in
24 this act supersedes any other appropriations and is the total appropriation for the
25 agency for that program or function.
26

27 SECTION 20. [EFFECTIVE JULY 1, 2021]

28
29 The balance of any appropriation or funds heretofore placed or remaining to the
30 credit of any division of the state of Indiana, and any appropriation or funds provided
31 in this act placed to the credit of any division of the state of Indiana, the powers,
32 duties, and functions whereof are assigned and transferred to any department for
33 salaries, maintenance, operation, construction, or other expenses in the exercise
34 of such powers, duties, and functions, shall be transferred to the credit of the
35 department to which such assignment and transfer is made, and the same shall be
36 available for the objects and purposes for which appropriated originally.
37

38 SECTION 21. [EFFECTIVE JULY 1, 2021]

39
40 The director of the division of procurement of the Indiana department of administration,
41 or any other person or agency authorized to make purchases of equipment, shall not
42 honor any requisition for the purchase of an automobile that is to be paid for from any
43 appropriation made by this act or any other act, unless the following facts are shown
44 to the satisfaction of the commissioner of the Indiana department of administration or
45 the commissioner's designee:

- 46 (1) In the case of an elected state officer, it shall be shown that the duties of the
47 office require driving about the state of Indiana in the performance of official duty.
48 (2) In the case of department or commission heads, it shall be shown that the statutory
49 duties imposed in the discharge of the office require traveling a greater distance



1 than one thousand (1,000) miles each month or that they are subject to official duty
2 call at all times.

3 (3) In the case of employees, it shall be shown that the major portion of the duties
4 assigned to the employee require travel on state business in excess of one thousand
5 (1,000) miles each month, or that the vehicle is identified by the agency as an integral
6 part of the job assignment.

7
8 In computing the number of miles required to be driven by a department head or an
9 employee, the distance between the individual's home and office or designated official
10 station is not to be considered as a part of the total. Department heads shall annually
11 submit justification for the continued assignment of each vehicle in their department,
12 which shall be reviewed by the commissioner of the Indiana department of administration,
13 or the commissioner's designee. There shall be an insignia permanently affixed on
14 each side of all state owned cars, designating the cars as being state owned. However,
15 this requirement does not apply to state owned cars driven by elected state officials
16 or to cases where the commissioner of the Indiana department of administration or
17 the commissioner's designee determines that affixing insignia on state owned cars
18 would hinder or handicap the persons driving the cars in the performance of their
19 official duties.

20

21 SECTION 22. [EFFECTIVE JULY 1, 2021]

22

23 When budget agency approval or review is required under this act, the budget agency
24 may refer to the budget committee any budgetary or fiscal matter for an advisory
25 recommendation. The budget committee may hold hearings and take any actions
26 authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget
27 agency.

28

29 SECTION 23. [EFFECTIVE JULY 1, 2021]

30

31 The governor of the state of Indiana is solely authorized to accept on behalf of
32 the state any and all federal funds available to the state of Indiana. Federal funds
33 received under this SECTION are appropriated for purposes specified by the
34 federal government, subject to allotment by the budget agency. The provisions of
35 this SECTION and all other SECTIONS concerning the acceptance, disbursement,
36 review, and approval of any grant, loan, or gift made by the federal government
37 or any other source to the state or its agencies and political subdivisions shall
38 apply, notwithstanding any other law.

39

40 SECTION 24. [EFFECTIVE JULY 1, 2021]

41

42 Federal funds received as revenue by a state agency or department are not available
43 to the agency or department for expenditure until allotment has been made by the
44 budget agency under IC 4-12-1-12(d).

45

46 SECTION 25. [EFFECTIVE JULY 1, 2021]

47

48 A contract or an agreement for personal services or other services may not be
49 entered into by any agency or department of state government without the approval



1 of the budget agency or the designee of the budget director.

2

3 SECTION 26. [EFFECTIVE JULY 1, 2021]

4

5 Except in those cases where a specific appropriation has been made to cover the
6 payments for any of the following, the auditor of state shall transfer, from the
7 personal services appropriations for each of the various agencies and departments,
8 necessary payments for Social Security, public employees' retirement, health
9 insurance, life insurance, and any other similar payments directed by the budget
10 agency.

11

12 SECTION 27. [EFFECTIVE JULY 1, 2021]

13

14 Subject to SECTION 22 of this act as it relates to the budget committee, the
15 budget agency with the approval of the governor may withhold allotments of any
16 or all appropriations contained in this act for the 2021-2023 biennium, if it is
17 considered necessary to do so in order to prevent a deficit financial situation.

18

19 SECTION 28. [EFFECTIVE JULY 1, 2021]

20

21 CONSTRUCTION

22

23 For the 2021-2023 biennium, the following amounts, from the funds listed as follows,
24 are appropriated to provide for the construction, reconstruction, rehabilitation,
25 repair, purchase, rental, and sale of state properties, capital lease rentals, and
26 the purchase and sale of land, including equipment for these properties and other
27 projects as specified.

28

29	State General Fund - Lease Rentals	
30		225,602,266
31	State General Fund - Construction	
32		629,093,746
33	Veterans' Home Building Fund (IC 10-17-9-7)	
34		2,281,000
35	State Construction Fund (IC 9-13-2-173.1)	
36		50,386,007
37	State Highway Fund (IC 8-23-9-54)	
38		34,440,500
39		
40	TOTAL	941,803,519

41

42 The allocations provided under this SECTION are made from the state general
43 fund, unless specifically authorized from other designated funds by this act. The
44 budget agency, with the approval of the governor, in approving the allocation of
45 funds pursuant to this SECTION, shall consider, as funds are available, allocations
46 for the following specific uses, purposes, and projects:

47

48 A. GENERAL GOVERNMENT

49



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	FOR THE STATE BUDGET AGENCY		
2	Stadium Lease Rental	40,469,646	67,943,587
3	Convention Center Lease Rental	0	14,719,700
4	Indiana Motorsports Commission	7,000,000	7,000,000
5	Water Infrastructure	20,000,000	20,000,000
6	Northwest Indiana Reg. Dev. Auth.	12,000,000	12,000,000
7			
8	The above appropriation for water infrastructure assistance is for the creation of		
9	a leveraged loan program to provide grants, loans, and other financial assistance		
10	from the water infrastructure assistance fund in accordance with a statute enacted		
11	for this purpose by the 2019 General Assembly.		
12			
13	STATE BUDGET AGENCY		
14	Enterprise Grant Management System	0	3,000,000
15	Capital Reserve Account	0	100,000,000
16			
17	The above appropriation may be used for design and construction expenses for the		
18	Westville Correctional Facility, Evansville Police Post and Lab, and a new consolidated		
19	campus for the Indiana School for the Deaf and the Indiana School for the Blind		
20	and Visually Impaired, or for another purpose after review by the budget committee.		
21			
22	LIEUTENANT GOVERNOR		
23	Broadband Grants	250,000,000	0
24	DEPARTMENT OF REVENUE		
25	Integrated Tax System	20,300,000	0
26	TREASURER OF STATE		
27	Education Scholarship Accounts Impl.	5,000,000	0
28	DEPARTMENT OF ADMINISTRATION		
29	Preventive Maintenance	5,300,000	5,300,000
30	Repair and Rehabilitation	19,152,444	18,252,444
31	DEPARTMENT OF ADMINISTRATION - LEASES		
32	NeuroDiagnostic Inst. Capital Lease	12,234,703	12,234,630
33	STATE LIBRARY		
34	Repair and Rehabilitation	0	2,000,000
35	INDIANA STATE FAIR		
36	Preventive Maintenance	1,045,000	1,045,000
37	Repair and Rehabilitation	1,775,552	4,356,500
38	Fall Creek Pavilion	50,000,000	0
39			
40	B. PUBLIC SAFETY		
41			
42	(1) LAW ENFORCEMENT		
43			
44	INDIANA STATE POLICE		
45	Preventive Maintenance	955,899	955,899
46	Lowell District/Lab Construction	8,500,000	0
47	Repair and Rehabilitation	906,900	1,440,000
48	LAW ENFORCEMENT TRAINING BOARD		
49	Preventive Maintenance	200,000	200,000



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Repair and Rehabilitation	143,885	241,350	
2	ADJUTANT GENERAL			
3	Preventive Maintenance	930,250	930,250	
4	Hamilton County Readiness Center	579,780	6,791,750	
5	Danville Armory Add. and Alter.	1,520,000	0	
6	Martinsville Armory Add. and Alter.	0	1,520,000	
7	State Construction Fund (IC 9-13-2-173.1)			
8	Repair and Rehabilitation	1,180,574	1,451,277	
9				
10	(2) CORRECTIONS			
11				
12	STATE PRISON			
13	Preventive Maintenance	467,500	467,500	
14	State Construction Fund (IC 9-13-2-173.1)			
15	Repair and Rehabilitation	1,500,000	500,000	
16	PENDLETON CORRECTIONAL FACILITY			
17	Preventive Maintenance	552,500	552,500	
18	WOMEN'S PRISON			
19	Preventive Maintenance	153,000	153,000	
20	NEW CASTLE CORRECTIONAL FACILITY			
21	Preventive Maintenance	700,000	700,000	
22	PUTNAMVILLE CORRECTIONAL FACILITY			
23	Preventive Maintenance	340,000	340,000	
24	INDIANAPOLIS RE-ENTRY EDUCATION FACILITY			
25	Preventive Maintenance	153,000	153,000	
26	BRANCHVILLE CORRECTIONAL FACILITY			
27	Preventive Maintenance	153,000	153,000	
28	State Construction Fund (IC 9-13-2-173.1)			
29	Repair and Rehabilitation	0	575,000	
30	WESTVILLE CORRECTIONAL FACILITY			
31	Preventive Maintenance	442,000	442,000	
32	State Construction Fund (IC 9-13-2-173.1)			
33	Repair and Rehabilitation	0	1,250,000	
34	ROCKVILLE CORRECTIONAL FACILITY			
35	Preventive Maintenance	212,500	212,500	
36	PLAINFIELD CORRECTIONAL FACILITY			
37	Preventive Maintenance	212,500	212,500	
38	State Construction Fund (IC 9-13-2-173.1)			
39	Repair and Rehabilitation	0	1,250,000	
40	RECEPTION AND DIAGNOSTIC CENTER			
41	Preventive Maintenance	89,250	89,250	
42	CORRECTIONAL INDUSTRIAL FACILITY			
43	Preventive Maintenance	255,000	255,000	
44	State Construction Fund (IC 9-13-2-173.1)			
45	Repair and Rehabilitation	4,250,000	950,000	
46	WABASH VALLEY CORRECTIONAL FACILITY			
47	Preventive Maintenance	224,125	224,125	
48	CHAIN O' LAKES CORRECTIONAL FACILITY			
49	Preventive Maintenance	38,250	38,250	



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	MADISON CORRECTIONAL FACILITY		
2	Preventive Maintenance	318,750	318,750
3	MIAMI CORRECTIONAL FACILITY		
4	Preventive Maintenance	382,500	382,500
5	LOGANSPORT JUVENILE CORRECTIONAL FACILITY		
6	State Construction Fund (IC 9-13-2-173.1)		
7	Repair and Rehabilitation	100,000	0
8	LAPORTE JUVENILE CORRECTIONAL FACILITY		
9	Preventive Maintenance	34,000	34,000
10	EDINBURGH CORRECTIONAL FACILITY		
11	Preventive Maintenance	34,000	34,000
12	PENDLETON JUVENILE CORRECTIONAL FACILITY		
13	Preventive Maintenance	127,500	127,500
14	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
15	Preventive Maintenance	51,000	51,000
16	SOUTH BEND WORK RELEASE CENTER		
17	Preventive Maintenance	42,500	42,500
18	HERITAGE TRAIL CORRECTIONAL FACILITY		
19	Preventive Maintenance	191,250	191,250
20	State Construction Fund (IC 9-13-2-173.1)		
21	Repair and Rehabilitation	0	250,000
22			
23	C. CONSERVATION AND ENVIRONMENT		
24			
25	DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION		
26	Preventive Maintenance	50,000	50,000
27	State Construction Fund (IC 9-13-2-173.1)		
28	Repair and Rehabilitation	6,063,788	5,670,788
29	FISH AND WILDLIFE		
30	Preventive Maintenance	1,550,000	1,550,000
31	State Construction Fund (IC 9-13-2-173.1)		
32	Repair and Rehabilitation	0	850,000
33	FORESTRY		
34	Preventive Maintenance	1,525,000	1,525,000
35	State Construction Fund (IC 9-13-2-173.1)		
36	Repair and Rehabilitation	750,000	0
37	NATURE PRESERVES		
38	Preventive Maintenance	586,614	586,614
39	OUTDOOR RECREATION		
40	Preventive Maintenance	35,000	35,000
41	STATE PARKS AND RESERVOIR MANAGEMENT		
42	Preventive Maintenance	4,050,000	4,050,000
43	State Construction Fund (IC 9-13-2-173.1)		
44	Repair and Rehabilitation	2,875,000	3,397,500
45	DIVISION OF WATER		
46	Preventive Maintenance	83,500	83,500
47	State Construction Fund (IC 9-13-2-173.1)		
48	Repair and Rehabilitation	2,110,000	2,000,000
49	ENFORCEMENT		



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Preventive Maintenance	270,000	270,000	
2	ENTOMOLOGY			
3	Preventive Maintenance	137,500	137,500	
4	INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
5	Preventive Maintenance	574,687	574,687	
6	Repair and Rehabilitation	1,950,505	1,912,500	
7	State Construction Fund (IC 9-13-2-173.1)			
8	Repair and Rehabilitation	0	757,800	
9	WAR MEMORIALS COMMISSION			
10	Preventive Maintenance	617,000	617,000	
11	Repair and Rehabilitation	681,960	2,251,200	
12				
13	D. TRANSPORTATION			
14				
15	DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS			
16	State Highway Fund (IC 8-23-9-54)			
17	Preventive Maintenance	2,232,888	2,232,888	
18	State Highway Fund (IC 8-23-9-54)			
19	Repair and Rehabilitation	1,872,362	1,872,362	
20	State Highway Fund (IC 8-23-9-54)			
21	A&E Fee Matl. & Test. Lab Phase 4	105,000	0	
22	State Highway Fund (IC 8-23-9-54)			
23	Materials & Testing Lab Phase 4	1,500,000	0	
24	State Highway Fund (IC 8-23-9-54)			
25	Const. of the LaGrange Unit/Salt Bldg	8,700,000	0	
26	State Highway Fund (IC 8-23-9-54)			
27	Bluffton Subdistrict Renovation	4,950,000	0	
28	State Highway Fund (IC 8-23-9-54)			
29	A&E Fee Cloverdale Salt Building	125,000	0	
30	State Highway Fund (IC 8-23-9-54)			
31	Const. of the Cloverdale Salt Bldg	2,050,000	0	
32	State Highway Fund (IC 8-23-9-54)			
33	A&E Fee Mishawaka Unit/Salt Bldg	450,000	0	
34	State Highway Fund (IC 8-23-9-54)			
35	Cap. Land Purchase-Evansville Unit 1	250,000	0	
36	State Highway Fund (IC 8-23-9-54)			
37	Const. of the Mishawaka Unit/Salt Bldg	0	7,100,000	
38	State Highway Fund (IC 8-23-9-54)			
39	A&E Fee for Evansville Unit 1/Salt Bldg	0	450,000	
40	State Highway Fund (IC 8-23-9-54)			
41	A&E Fee Frankfort Subdistrict Renv.	0	300,000	
42	State Highway Fund (IC 8-23-9-54)			
43	Cap. Land Purchase-Roselawn Unit	0	250,000	
44				
45	E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS			
46				
47	(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION			
48				
49	FSSA - DIVISION OF MENTAL HEALTH			



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	State Construction Fund (IC 9-13-2-173.1)		
2	Repair and Rehabilitation	3,386,146	0
3	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER		
4	Preventive Maintenance	36,500	36,500
5	State Construction Fund (IC 9-13-2-173.1)		
6	Repair and Rehabilitation	452,000	0
7	EVANSVILLE STATE HOSPITAL		
8	Preventive Maintenance	391,162	391,162
9	MADISON STATE HOSPITAL		
10	Preventive Maintenance	464,104	464,104
11	State Construction Fund (IC 9-13-2-173.1)		
12	Repair and Rehabilitation	0	98,400
13	LOGANSPOUR STATE HOSPITAL		
14	Preventive Maintenance	491,572	491,572
15	State Construction Fund (IC 9-13-2-173.1)		
16	Repair and Rehabilitation	833,369	1,824,000
17	RICHMOND STATE HOSPITAL		
18	Preventive Maintenance	550,000	550,000
19	State Construction Fund (IC 9-13-2-173.1)		
20	Repair and Rehabilitation	0	1,217,485
21	LARUE CARTER MEMORIAL HOSPITAL		
22	Preventive Maintenance	417,703	417,703
23	NEURO DIAGNOSTIC INSTITUTE		
24	Preventive Maintenance	475,810	475,810
25			
26	(2) PUBLIC HEALTH		
27			
28	SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED		
29	Preventive Maintenance	282,857	282,857
30	State Construction Fund (IC 9-13-2-173.1)		
31	Repair and Rehabilitation	1,262,390	885,249
32	SCHOOL FOR THE DEAF		
33	Preventive Maintenance	424,285	424,285
34	State Construction Fund (IC 9-13-2-173.1)		
35	Repair and Rehabilitation	734,637	1,960,604
36			
37	(3) VETERANS' AFFAIRS		
38			
39	DEPARTMENT OF VETERANS' AFFAIRS		
40	Preventive Maintenance	48,195	48,195
41	INDIANA VETERANS' HOME		
42	Veterans' Home Building Fund (IC 10-17-9-7)		
43	Preventive Maintenance	637,500	637,500
44	Veterans' Home Building Fund (IC 10-17-9-7)		
45	Repair and Rehabilitation	789,000	217,000
46			
47	F. EDUCATION		
48			
49	HIGHER EDUCATION		



1			
2	INDIANA UNIVERSITY - TOTAL SYSTEM		
3	Repair and Rehabilitation	14,349,098	14,349,098
4	PURDUE UNIVERSITY - TOTAL SYSTEM		
5	Repair and Rehabilitation	12,242,154	12,242,154
6	INDIANA STATE UNIVERSITY		
7	Repair and Rehabilitation	1,504,289	1,504,289
8	UNIVERSITY OF SOUTHERN INDIANA		
9	Repair and Rehabilitation	1,112,962	1,112,962
10	BALL STATE UNIVERSITY		
11	Repair and Rehabilitation	2,917,359	2,917,359
12	VINCENNES UNIVERSITY		
13	Repair and Rehabilitation	1,005,286	1,005,286
14	IVY TECH COMMUNITY COLLEGE		
15	Repair and Rehabilitation	3,610,577	3,610,577

16

17 **SECTION 29. [EFFECTIVE JULY 1, 2021]**

18

19 **The budget agency may employ one (1) or more architects or engineers to inspect**

20 **construction, rehabilitation, and repair projects covered by the appropriations**

21 **in this act or previous acts.**

22

23 **SECTION 30. [EFFECTIVE UPON PASSAGE]**

24

25 **If any part of a construction or rehabilitation and repair appropriation made by**

26 **this act or any previous acts has not been allotted or encumbered before the expiration**

27 **of the biennium, the budget agency may determine that the balance of the appropriation**

28 **is not available for allotment. The appropriation may be terminated, and the balance**

29 **may revert to the fund from which the original appropriation was made.**

30

31 **SECTION 31. [EFFECTIVE JULY 1, 2021]**

32

33 **The budget agency may retain balances in the mental health fund at the end of any**

34 **fiscal year to ensure there are sufficient funds to meet the service needs of the**

35 **developmentally disabled and the mentally ill in any year.**

36

37 **SECTION 32. [EFFECTIVE JULY 1, 2021]**

38

39 **If the budget director determines at any time during the biennium that the executive**

40 **branch of state government cannot meet its statutory obligations due to insufficient**

41 **funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with**

42 **the approval of the governor and after review by the budget committee, may transfer**

43 **from the counter-cyclical revenue and economic stabilization fund to the general**

44 **fund any additional amount necessary to maintain a positive balance in the general**

45 **fund.**

46 **SECTION 33. IC 4-9.1-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:**

47 **Sec. 1. The ~~governor~~, budget director or the budget director's designee, the auditor of state, and the**

48 **treasurer of state constitute the state board of finance, referred to as the "board" in this chapter. The board**

49 **has advisory supervision of the safekeeping of all funds coming into the state treasury and all other funds**



1 belonging to the state coming into the possession of any state officer or agency.

2 SECTION 34. IC 4-12-1-13, AS AMENDED BY P.L.8-2019, SECTION 10, IS AMENDED TO
3 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. (a) During the interval between sessions
4 of the general assembly, the budget agency shall make regular or, at the request of the governor, special
5 inspections of the respective institutions of the state supported by public funds. The budget agency shall
6 report regularly to the governor relative to the physical condition of such institutions, and any
7 contemplated action of the institution on a new or important matter, and on any other subject which the
8 budget agency may deem pertinent or on which the governor may require information. The budget agency
9 shall likewise familiarize itself with the best and approved practices in each of such institutions and
10 supply such information to other institutions to make their operation more efficient and economical.

11 (b) Except as to officers and employees of state educational institutions, the executive secretary of the
12 governor, the administrative assistants to the governor, the elected officials, and persons whose salaries
13 or compensation are fixed by the governor pursuant to law, the annual compensation of all persons
14 employed by agencies of the state shall be subject to the approval of the budget agency. Except as
15 otherwise provided by IC 4-15-2.2, the budget agency shall establish classifications and schedules for
16 fixing compensation, salaries and wages of all classes and types of employees of any state agency or state
17 agencies, and any and all other such classifications affecting compensation as the budget agency shall
18 deem necessary or desirable. The classifications and schedules thus established shall be filed in the office
19 of the budget agency. Requests by an appointing authority for salary and wage adjustments or personal
20 service payments coming within such classifications and schedules shall become effective when approved
21 by, and upon the terms of approval fixed by, the budget agency. All personnel requests pertaining to the
22 staffing of programs or agencies supported in whole or in part by federal funds are subject to review and
23 approval by the state personnel department under IC 4-15-2.2.

24 (c) The budget agency shall review and approve, for the sufficiency of funds, all payments for personal
25 services which are submitted to the auditor of state for payment.

26 (d) The budget agency shall review all contracts for personal services or other services and no contract
27 for personal services or other services may be entered into by any agency of the state before the written
28 approval of the budget agency is given. Each demand for payment submitted by an agency to the auditor
29 of state under these contracts must be accompanied by a copy of the budget agency approval. No payment
30 may be made by the auditor of state without such approval. However, this subsection does not apply to
31 a contract entered into by:

32 (1) a state educational institution; or

33 (2) an agency of the state if the contract is not required to be approved by the budget agency under
34 IC 4-13-2-14.1.

35 (e) The budget agency shall review and approve the policy and procedures governing travel prepared
36 by the department of administration under IC 4-13-1, before the travel policies and procedures are
37 distributed.

38 (f) Except as provided in subsections (g), (h), and (i), the budget agency may adopt such policies and
39 procedures not inconsistent with law as it may deem advisable to facilitate and carry out the powers and
40 duties of the agency, including the execution and administration of all appropriations made by law.
41 IC 4-22-2 does not apply to these policies and procedures.

42 (g) The budget agency may not enforce or apply any policy or procedure, unless specifically authorized
43 by this chapter or an applicable statute, against or in relation to the following officials or agencies, unless
44 the official or agency consents to comply with the policy or procedure, or emergency circumstances justify
45 extraordinary measures to protect the state's budget or fiscal reserves:

46 (1) The judicial department of the state.

47 (2) The general assembly, the legislative services agency, or any other entity of the legislative



- 1 department of the state.
- 2 (3) The attorney general.
- 3 (4) The auditor of state.
- 4 (5) The secretary of state.
- 5 (6) The superintendent of public instruction. This subdivision does not apply after January 10, 2021.
- 6 (7) The treasurer of state.

7 (h) The budget agency may not enforce a policy or procedure against an official or an agency specified
 8 in subsection (g)(1) through (g)(7) by refusing to allot money from the ~~personal services/fringe benefits~~
 9 **budget agency** contingency fund to the official or agency **without review by the budget committee.**

10 (i) The budget agency may not withhold or refuse to allot appropriations for a state educational
 11 institution without review by the budget committee.

12 SECTION 35. IC 4-12-17-1, AS ADDED BY P.L.217-2017, SECTION 40, IS AMENDED TO READ
 13 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) The ~~personal services/fringe benefits~~ **budget**
 14 **agency** contingency fund is established for the purpose of allotting money to departments, institutions,
 15 and state agencies for the purposes set forth in subsection (b). The fund consists of money appropriated
 16 to the fund by the general assembly. The budget agency shall administer the fund.

- 17 (b) Money in the fund may be used only with the approval of the governor for:
- 18 (1) salary increases;
 - 19 (2) fringe benefit increases;
 - 20 (3) an employee leave conversion program;
 - 21 (4) state retiree health programs; ~~and~~
 - 22 **(5) emergency capital project expenses;**
 - 23 **(6) necessary expenses for existing programs as determined by the governor and budget**
 24 **director; and**
 - 25 ~~(5) (7) any related expenses.~~

26 (c) Money in the fund at the end of a state fiscal year does not revert to the state general fund but
 27 remains available for expenditure.

28 (d) ~~Notwithstanding IC 4-9.1-1-7, IC 4-13-2-23, or any other law, money may not be transferred,~~
 29 ~~assigned, reassigned, or otherwise removed from the fund by the state board of finance, the budget~~
 30 ~~agency, or any other state agency, except for the purposes specified in this section. The budget~~
 31 ~~committee shall be advised of each transfer from the fund that exceeds five hundred thousand~~
 32 ~~dollars (\$500,000).~~

33 SECTION 36. IC 4-13.1-2-4, AS AMENDED BY P.L.171-2015, SECTION 3, IS AMENDED TO
 34 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. The chief information officer, in conjunction
 35 with:

- 36 (1) ~~the state librarian or the state librarian's designee;~~ **budget director or the budget director's**
 37 **designee;**
- 38 (2) the director of the Indiana archives and records administration or the director's designee; and
- 39 (3) a representative from each of the two (2) state agencies that generate the most revenue under this
 40 section;

41 shall establish reasonable fees for enhanced access to public records and other electronic records, so that
 42 the revenues generated are sufficient to develop, maintain, operate, and expand services that make public
 43 records available electronically. A meeting to establish or revise the fees described in this section is
 44 subject to the requirements of IC 5-14-1.5.

45 SECTION 37. IC 4-31-5-9, AS AMENDED BY P.L.256-2015, SECTION 4, IS AMENDED TO
 46 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The commission shall determine the
 47 dates and (if the commission adopts a rule under subsection (c)) the number of racing days authorized



1 under each recognized meeting permit. Except for racing at winterized tracks, a recognized meeting may
2 not be conducted after December 10 of a calendar year.

3 (b) Except as provided in subsection (c), the commission shall require at least two hundred eighty
4 (280) but not more than three hundred thirty (330) total live racing days each calendar year combined at
5 both racetracks, as follows:

6 (1) At least one hundred sixty (160) but not more than one hundred eighty (180) live racing days
7 must be for standardbreds to race at Hoosier Park.

8 (2) At least one hundred twenty (120) but not more than one hundred fifty (150) live racing days
9 must be for horses that are:

10 (A) mounted by jockeys; and

11 (B) run on a course without jumps or obstacles;
12 to race at Indiana Grand.

13 The requirements of this subsection are a continuing condition for maintaining the permit holder's permit.
14 However, the requirements do not apply if the commission determines that the permit holder is prevented
15 from conducting live horse racing as a result of a natural disaster or another event over which the permit
16 holder has no control.

17 (c) The commission may by rule adjust any of the following:

18 (1) The total required number of live racing days under subsection (b).

19 (2) The number of live racing days required under subsection (b)(1).

20 (3) The number of live racing days required under subsection (b)(2).

21 (d) A permit holder may not conduct more than fourteen (14) races on a particular racing day, **unless**
22 **authorized by the commission to conduct additional races.**

23 SECTION 38. IC 4-31-5.5-6, AS AMENDED BY P.L.229-2013, SECTION 5, IS AMENDED TO
24 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A permit holder or group of permit
25 holders that is authorized to operate satellite facilities may accept and transmit pari-mutuel wagers on
26 horse racing at those facilities and may engage in all activities necessary to establish and operate
27 appropriate satellite wagering facilities, including the following:

28 (1) Live simulcasts of horse racing conducted at the permit holder's racetrack or at other racetracks.
29 However, a satellite facility operated by a permit holder may not simulcast races conducted in other
30 states on any day that is not a live racing day (as defined in section 3 of this chapter) unless the
31 satellite facility also simulcasts all available races conducted in Indiana on that day.

32 (2) Construction or leasing of satellite wagering facilities.

33 (3) Sale of food and beverages.

34 (4) Advertising and promotion.

35 (5) All other related activities.

36 (b) A permit holder authorized to operate a satellite facility may use an approved limited mobile
37 gaming system to accept pari-mutuel wagers on horse racing at the satellite facility in accordance with
38 IC 4-31-7-10.

39 **(c) A permit holder authorized to operate a satellite facility may accept and transmit pari-mutuel**
40 **wagers on races conducted at a racetrack that has entered into a simulcasting contract with the**
41 **permit holder even if the races are conducted during a time when the satellite facility is not open.**

42 SECTION 39. IC 4-31-7-1, AS AMENDED BY P.L.268-2017, SECTION 9, IS AMENDED TO
43 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A person holding a permit to conduct
44 a horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting
45 grounds or enclosure or the satellite facility at which the person may conduct and supervise the
46 pari-mutuel system of wagering by patrons of legal age on the horse races conducted or simulcast by the
47 person, **and as permitted in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5.** The person may



1 not permit or use:

2 (1) another place other than that provided and designated by the person; or

3 (2) another method or system of betting or wagering.

4 However, a permit holder licensed to conduct gambling games under IC 4-35 may permit wagering on
5 gambling games at a racetrack as permitted by IC 4-35.

6 (b) Except as provided in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5, the pari-mutuel
7 system of wagering may not be conducted on any races except the races at the racetrack, grounds, or
8 enclosure for which the person holds a permit.

9 SECTION 40. IC 4-31-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
10 PASSAGE] : Sec. 7. (a) As used in this section, "live racing day" means a day on which at least eight (8)
11 live horse races are conducted.

12 (b) Upon request by a permit holder from time to time, the commission may authorize the permit
13 holder to conduct pari-mutuel wagering at the permit holder's racetrack on televised simulcasts of horse
14 races from other racetracks in Indiana or in other states or countries where horse racing and wagering are
15 permitted by law. **In addition, the commission may authorize the permit holder to conduct**
16 **pari-mutuel wagering at the permit holder's racetrack on races from racetracks that have entered**
17 **into a simulcasting contract with the permit holder even if the races are conducted during a time**
18 **when the permit holder's racetrack is not open.** The commission may adopt rules regarding
19 simulcasting. A permit holder that conducts at least one hundred twenty (120) live racing days annually
20 may request an unlimited number of days of simulcasting per year. However, the requirement for one
21 hundred twenty (120) live racing days does not apply if the commission determines that the permit holder
22 is prevented from conducting live horse racing as a result of a natural disaster or other event over which
23 the permit holder has no control. In addition, if the initial racing meeting conducted by a permit holder
24 commences at such a time as to make it impractical to conduct one hundred twenty (120) live racing days
25 during the permit holder's first year of operations, the commission may authorize the permit holder to
26 conduct simulcast wagering during the first year of operations with fewer than one hundred twenty (120)
27 live racing days. A permit holder that conducts fewer than one hundred twenty (120) live racing days
28 annually may request permission to conduct simulcasting only during the hours on a racing day when
29 racing is being conducted at the permit holder's racetrack. The televised simulcasts must comply with the
30 Interstate Horse Racing Act of 1978 (15 U.S.C. 3001 et seq.).

31 (c) A permit holder that conducts simulcasts on a day that is not a live racing day may not simulcast
32 races conducted in other states unless the permit holder also simulcasts all available races conducted in
33 Indiana on that day.

34 SECTION 41. IC 4-31-9-3, AS AMENDED BY P.L.108-2019, SECTION 70, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE] : Sec. 3. (a) At the close of each day on which
36 a permit holder or satellite facility operator conducts pari-mutuel wagering on live racing or simulcasts
37 at a racetrack or satellite facility, the permit holder or satellite facility operator shall pay to the department
38 of state revenue a tax on the total amount of money wagered on that day as follows:

39 (1) Two percent (2%) of the total amount of money wagered ~~on live races and simulcasts conducted~~
40 **under IC 4-31-7** at a permit holder's racetrack.

41 (2) Two and one-half percent (2.5%) of the total amount of money wagered ~~on simulcasts at satellite~~
42 ~~facilities, regardless of whether those simulcasts originate from Indiana or another state.~~ **under**
43 **IC 4-31-5.5-6 at a permit holder's satellite facility.**

44 (b) The taxes collected under subsection (a) shall be paid from the amounts withheld under section 1
45 of this chapter and shall be distributed as follows:

46 (1) The first one hundred fifty thousand dollars (\$150,000) of taxes collected during each state fiscal
47 year shall be deposited in the veterinary school research account established by IC 4-31-12-22.



1 (2) The remainder of the taxes collected during each state fiscal year shall be paid into the Indiana
2 horse racing commission operating fund (IC 4-31-10).

3 (c) The tax imposed by this section is a listed tax for purposes of IC 6-8.1-1.

4 SECTION 42. IC 4-33-18-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
5 Sec. 1. As used in this chapter, "~~department~~" means the Indiana department of gaming research;
6 "**division**" means the gaming research division of the commission established by section 2 of this
7 chapter.

8 SECTION 43. IC 4-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
9 Sec. 2. ~~The Indiana department of gaming research is established as an agency of the state of Indiana~~ **The**
10 **gaming research division is established within the commission** for the purpose of enhancing the
11 gaming industry in Indiana through research and analysis.

12 SECTION 44. IC 4-33-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
13 Sec. 3. ~~The department is under the control of the governor, who~~ **commission** shall appoint or employ the
14 executive director **of the division** and other persons that the **governor commission** considers necessary.

15 SECTION 45. IC 4-33-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
16 Sec. 4. (a) The executive director, with the ~~governor's~~ **commission's** approval, may employ individuals
17 as are necessary to perform the various functions of the ~~department~~. **division.**

18 (b) ~~The executive director and the budget agency shall set the compensation for the department's~~
19 ~~employees.~~

20 SECTION 46. IC 4-33-18-5, AS AMENDED BY P.L.58-2019, SECTION 6, IS AMENDED TO
21 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. ~~The department~~ **division** shall research and
22 analyze data and public policy issues relating to all aspects of gaming in Indiana for the enhancement of:

- 23 (1) the Indiana lottery under IC 4-30;
24 (2) pari-mutuel horse racing under IC 4-31;
25 (3) charity gaming under IC 4-32.3; and
26 (4) riverboat casino gambling under IC 4-33.

27 SECTION 47. IC 4-33-18-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
28 Sec. 6. ~~The department~~ **division** shall study and make findings and recommendations on the following:

- 29 (1) Alternative methods of taxing gaming entities, including taxes based upon the size of a riverboat
30 or the number of gaming positions on board a riverboat.
31 (2) The impact of flexible boarding on the gaming industry.
32 (3) The impact of breed development programs and sire stakes racing in Indiana.
33 (4) Any other issue considered appropriate by the ~~department~~ **commission** or suggested by:
34 (A) the Indiana lottery commission;
35 (B) the Indiana horse racing commission; **or**
36 (C) the department of state revenue. ~~or~~
37 (D) ~~the Indiana gaming commission.~~

38 SECTION 48. IC 4-33-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
39 Sec. 7. The executive director shall submit the ~~department's~~ **division's** findings and recommendations to
40 **the commission**, the governor, and the legislative council.

41 SECTION 49. IC 4-33-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
42 Sec. 8. ~~The department~~ **division** shall impose an annual fee of twenty-five thousand dollars (\$25,000)
43 upon the following:

- 44 (1) Each licensed owner or operating agent operating a riverboat in Indiana.
45 (2) Each permit holder (as defined in IC 4-31-2-14) operating a live pari-mutuel horse racing facility
46 in Indiana.

47 SECTION 50. IC 4-33-18-9 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 9: (a) Nothing in this~~



1 chapter may be construed to limit the powers or responsibilities of:

- 2 (1) the state lottery commission under IC 4-30;
- 3 (2) the Indiana horse racing commission under IC 4-31; or
- 4 (3) the Indiana gaming commission under IC 4-32.3; IC 4-33; or IC 4-35.

5 (b) The department may not exercise any administrative or regulatory powers with respect to:

- 6 (1) the Indiana lottery under IC 4-30;
- 7 (2) pari-mutuel horse racing under IC 4-31;
- 8 (3) charity gaming under IC 4-32.3;
- 9 (4) riverboat casino gambling under IC 4-33; or
- 10 (5) gambling games conducted at a racetrack (as defined in IC 4-35-2-9) under IC 4-35.

11 SECTION 51. IC 5-2-23-7 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 7. (a) The exoneration
12 fund is established for the purpose of carrying out this chapter. The fund shall be administered by the
13 criminal justice institute.

14 (b) The fund consists of appropriations from the general assembly.

15 SECTION 52. IC 5-2-23-8, AS ADDED BY P.L.165-2019, SECTION 1, IS AMENDED TO READ
16 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) A person to whom this chapter applies may seek
17 compensation under this chapter by applying to the criminal justice institute on a form and in a manner
18 to be determined by the criminal justice institute. An application must be submitted not later than:

- 19 (1) November 1, 2021; or
- 20 (2) two (2) years from the date the:
 - 21 (A) judgment vacating, reversing, or setting aside the person's conviction becomes final; or
 - 22 (B) governor pardons the person;

23 whichever is later. An applicant shall submit additional evidence to the criminal justice institute upon
24 request by the criminal justice institute.

25 (b) An applicant must demonstrate the following in any application submitted to the criminal justice
26 institute:

- 27 (1) The applicant's eligibility for compensation under this chapter as described in this chapter.
- 28 (2) The applicant's compliance with any rules promulgated or required by the criminal justice
29 institute pursuant to section 9 of this chapter.

30 (c) Upon receipt of:

- 31 (1) a completed application; and
- 32 (2) any additional evidence required by the criminal justice institute;

33 the criminal justice institute shall evaluate, investigate, and make a determination with respect to an
34 applicant's claim.

35 (d) If, at the conclusion of an investigation performed pursuant to subsection (c), the criminal justice
36 institute determines that the applicant qualifies for compensation under this chapter, the criminal justice
37 institute shall pay ~~from the exoneration fund~~, any compensation due to the applicant, subject to the
38 requirements of subsections (e) and (f).

39 (e) The criminal justice institute may not pay compensation to an applicant who:

- 40 (1) has received an award for restitution or damages described in section 1 of this chapter in
41 connection with the conviction;
- 42 (2) has a pending case that might result in an award for restitution or damages described in section
43 1 of this chapter with respect to the conviction; or
- 44 (3) has not executed the waiver described in section 4 of this chapter.

45 (f) The criminal justice institute may only pay compensation to the individual who was wrongfully
46 incarcerated or, on behalf of the individual, to the individual's guardian. The criminal justice institute may
47 not pay compensation to:



- 1 (1) the estate of;
- 2 (2) a fiduciary of;
- 3 (3) a trust on behalf of; or
- 4 (4) an assignee of;
- 5 the wrongfully incarcerated individual.

6 SECTION 53. IC 5-10.5-3-2, AS ADDED BY P.L.23-2011, SECTION 22, IS AMENDED TO READ
7 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The board is composed of nine (9) trustees
8 appointed by the governor as follows:

- 9 (1) At least one (1) trustee must have experience in economics, finance, or investments.
- 10 (2) At least one (1) trustee must have experience in executive management or benefits
11 administration.
- 12 (3) The director of the **budget agency office of management and budget** or the **budget agency**
13 director's designee serving as an ex officio voting member of the board. An individual appointed
14 under this subdivision to serve as the **budget agency office of management and budget** director's
15 designee:
 - 16 (A) is subject to section 5 of this chapter; and
 - 17 (B) serves as a permanent designee until replaced by the **budget agency office of management**
18 **and budget** director.
- 19 (4) Two (2) trustees nominated by the speaker of the house of representatives as follows:
 - 20 (A) One (1) must be an active or retired police officer or firefighter who is a member of the 1977
21 police officers' and firefighters' pension and disability fund.
 - 22 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of
23 creditable service.
- 24 (5) Two (2) trustees nominated by the president pro tempore of the senate as follows:
 - 25 (A) One (1) must be a member of the public employees' retirement fund with at least ten (10)
26 years of creditable service.
 - 27 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of
28 creditable service.
- 29 (6) One (1) trustee nominated by the auditor of state. The individual nominated under this
30 subdivision may be the auditor of state or another individual who has experience in professional
31 financial accounting or actuarial science.
- 32 (7) One (1) trustee nominated by the treasurer of state. The individual nominated under this
33 subdivision may be the treasurer of state or another individual who has experience in economics,
34 finance, or investments.

35 (b) If a vacancy on the board occurs, the governor shall, not later than forty-five (45) days after the date
36 the vacancy occurs, appoint an individual to fill the vacancy using the criteria in subsection (a).

37 (c) During the first year after an individual's initial appointment as a trustee and each year thereafter
38 during which the individual serves as a trustee, the individual is strongly encouraged to complete at least
39 twelve (12) hours of trustee education, at least two (2) hours in each of the following areas:

- 40 (1) Fiduciary duties and responsibilities of a trustee.
- 41 (2) Ethics.
- 42 (3) Governance process and procedures.
- 43 (4) Retirement plan design and administration.
- 44 (5) Investments.
- 45 (6) Actuarial principles and methods.

46 (d) Subject to the director's approval, each trustee is entitled to reimbursement for reasonable expenses
47 actually incurred in fulfilling the educational requirements under subsection (c). The director shall give



1 a preference for reimbursement for in-state training that meets the requirements under subsection (c), if
2 in-state training is available.

3 SECTION 54. IC 5-11-4-3, AS AMENDED BY P.L.209-2019, SECTION 3, IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The expense of examination and
5 investigation of accounts shall be paid by each municipality or entity as provided in this chapter.

6 (b) The state examiner shall not certify more often than monthly to the auditor of each county the
7 amount chargeable to each taxing unit within the county for the expense of its examinations as provided
8 in this chapter. Immediately upon receipt of the certified statement, the county auditor shall issue a
9 warrant on the county treasurer payable to the treasurer of state out of the general fund of the county for
10 the amount stated in the certificate. The county auditor shall reimburse the county general fund, except
11 for the expense of examination and investigation of county offices, out of the money due the taxing units
12 at the next semiannual settlement of the collection of taxes.

13 (c) If the county to which a claim is made is not in possession or has not collected the funds due or to
14 be due to any examined municipality, then the certificate must be filed with and the warrant shall be
15 drawn by the officer of the municipality having authority to draw warrants upon its funds. The
16 municipality shall pay the warrant immediately to the treasurer of state. The money, when received by the
17 treasurer of state, shall be deposited in the examinations fund created by subsection (g).

18 (d) Except as otherwise provided in this chapter, each:

19 (1) taxing unit; and

20 (2) soil and water conservation district;

21 shall be charged at the rate of one hundred seventy-five dollars (\$175) per day for each field examiner,
22 private examiner, expert, or employee of the state board of accounts who is engaged in making
23 examinations or investigations carried out under this article. Audited entities described in subdivisions
24 (1) and (2) shall be charged the actual direct and indirect allowable cost under 2 CFR 200.425 of
25 performing the audit. Except as provided in subsection (h), all other audited entities shall be charged the
26 actual direct and indirect cost of performing the examination or investigation.

27 (e) The state examiner shall certify, as necessary, to the proper disbursing officer the total amount of
28 expense incurred for the examination of:

29 (1) any unit of state government or entity that is required by law to bear the costs of its own
30 examination and operating expense; or

31 (2) any utility owned or operated by any municipality or any department of the municipality, if the
32 utility is operated from revenues or receipts other than taxation.

33 Upon receipt of the state examiner's certificate the unit of state government, entity, or utility shall
34 immediately pay to the treasurer of state the amount charged. The money, when received by the treasurer
35 of state, shall be deposited in the examinations fund created by subsection (g).

36 (f) In addition to other charges provided in this chapter, the state examiner may charge a reasonable
37 fee for technology and processing costs related to completing reports of examination and processing
38 reports of examination in the same manner as other charges are made under this chapter. The fees shall
39 be deposited in the examinations fund created by subsection (g).

40 (g) There is created a dedicated fund known as the examinations fund in the hands of the state
41 examiner to be used by the state examiner for the payment of the expense of examinations under this
42 article. All fees charged for examinations under this article shall be deposited into the examinations fund.
43 ~~Money in the fund is annually appropriated for the payment of the expense of examinations by the state~~
44 ~~board of accounts.~~ Money remaining in the fund at the end of the state fiscal year does not revert to the
45 state general fund.

46 (h) A municipality that contracts for services with a volunteer fire department may pay the cost of an
47 examination or investigation of the volunteer fire department under this chapter.



1 (i) An audit of a county shall include, but not be limited to, an audit of that county's soil and water
2 conservation district established under IC 14-32.

3 SECTION 55. IC 5-28-38 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Regional Cities
4 Development Fund).

5 SECTION 56. IC 5-28-41.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
6 AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

7 **Chapter 41.6. Next Level Regional Recovery Fund**

8 **Sec. 1. As used in this chapter, "development authority" includes:**

- 9 (1) the northwest Indiana regional development authority established by IC 36-7.5-2-1;
10 (2) a regional development authority established under IC 36-7.6-2-3; and
11 (3) a regional development authority established under IC 36-7.7-3-1.

12 **Sec. 2. As used in this chapter, "eligible regional recovery organization" means:**

- 13 (1) a development authority; and
14 (2) a qualified nonprofit organization.

15 **Sec. 3. As used in this chapter, "fund" refers to the next level regional recovery fund established**
16 **by section 6 of this chapter.**

17 **Sec. 4. As used in this chapter, "qualified nonprofit organization" means a private, nonprofit**
18 **entity formed as a partnership between local units (as defined in IC 4-4-32.2-9), private sector**
19 **businesses, or community or philanthropic organizations to develop and implement a regional**
20 **recovery strategy that has an organizational structure that conforms with the requirements of a**
21 **policy developed by the corporation under section 15 of this chapter.**

22 **Sec. 5. As used in this chapter, "regional recovery strategy" refers to:**

- 23 (1) a development plan prepared by a development authority under IC 36-7.5-3-4,
24 IC 36-7.6-3-5, or IC 36-7.7-3-4; or
25 (2) a comprehensive economic development strategy developed by an eligible regional recovery
26 organization.

27 **Sec. 6. The next level regional recovery fund is established within the state treasury to do the**
28 **following:**

- 29 (1) Support the corporation's next level regional recovery initiative.
30 (2) Provide grants or loans to support proposals for economic development and regional
31 recovery.

32 **Sec. 7. The fund consists of:**

- 33 (1) appropriations from the general assembly;
34 (2) grants, gifts, and donations intended for deposit in the fund;
35 (3) interest deposited into the fund under section 9 of this chapter; and
36 (4) loan repayments.

37 **Sec. 8. The corporation shall administer the fund. The following may be paid from money in the**
38 **fund:**

- 39 (1) Expenses of administering the fund.
40 (2) Administrative expenses incurred to carry out the purposes of this chapter.

41 **Sec. 9. The treasurer of state shall invest the money in the fund not currently needed to meet the**
42 **obligations of the fund in the same manner as other public funds may be invested. Interest that**
43 **accrues from these investments shall be deposited in the state general fund. Interest from loans**
44 **made under this chapter shall be deposited in the fund.**

45 **Sec. 10. (a) Money in the fund at the end of a state fiscal year does not revert to the state general**
46 **fund.**

47 **(b) Money in the fund is continuously appropriated for the purposes of this chapter.**



1 **Sec. 11. The board has the following powers:**

2 **(1) To accept, analyze, approve, and deny applications under this chapter.**

3 **(2) To contract with experts for advice and counsel.**

4 **(3) To employ staff to assist in carrying out this chapter, including the following:**

5 **(A) Providing assistance to applicants that wish to apply for a grant or loan from the fund.**

6 **(B) Analyzing proposals.**

7 **(C) Working with experts engaged by the board.**

8 **(D) Preparing reports and recommendations for the board.**

9 **Sec. 12. (a) The board may form a strategic review committee to review applications that are**
10 **submitted under this chapter.**

11 **(b) The board may invite employees of state agencies and outside experts to:**

12 **(1) sit on the strategic review committee; or**

13 **(2) present analysis or opinions about any aspect of an application under review.**

14 **An employee of a state agency who sits on the strategic review committee or otherwise participates**
15 **in the review of an application may not receive compensation for the employee's service on the**
16 **strategic review committee or participation with the strategic review committee.**

17 **Sec. 13. (a) The board shall consider the following when reviewing applications for a grant or**
18 **loan from the fund:**

19 **(1) Recommendations from the board's strategic review committee described in section 12 of**
20 **this chapter.**

21 **(2) Which projects have the greatest economic development potential.**

22 **(3) Whether the application includes a mental health component.**

23 **(4) Whether the application has a focus on rural areas of the state.**

24 **(5) The degree of regional collaboration.**

25 **(6) The application's alignment with the state's economic development priorities.**

26 **(7) Any other criteria as determined by the board.**

27 **(b) The board shall make final funding determinations for applications for a grant or loan from**
28 **the fund.**

29 **(c) The board may not approve an application for a grant or loan from the fund unless the board**
30 **finds that approving the application will have an overall positive return on investment for the state.**

31 **Sec. 14. (a) An eligible regional recovery organization may submit an application to the**
32 **corporation for a grant or loan from the fund.**

33 **(b) An application for a grant or loan from the fund must be made on an application form**
34 **prescribed by the board.**

35 **(c) An applicant shall provide all information required by this chapter.**

36 **(d) All applications for a grant or loan from the fund must include a regional recovery strategy**
37 **that complies with the requirements of a policy established under section 15 of this chapter and**
38 **contain at least the following:**

39 **(1) A comprehensive development plan and timeline.**

40 **(2) A detailed financial analysis that includes the commitment of resources and a return on**
41 **investment analysis.**

42 **(3) A demonstration of the expected impact of the grant or loan on the region and state.**

43 **(4) Any other information the board considers appropriate.**

44 **(e) An applicant for a grant or loan from the fund may request that information that may be**
45 **excepted from disclosure under IC 5-14-3 that is submitted by the applicant be kept confidential.**

46 **Sec. 15. (a) Before July 1, 2021, the corporation shall develop a policy that establishes the**
47 **framework for a next level regional recovery initiative.**



- 1 (b) The policy developed by the corporation shall include detailed information outlining:
2 (1) the entities that are eligible to submit applications for a grant or loan from the fund;
3 (2) the elements of a regional recovery strategy, and the information a regional recovery
4 strategy must contain in order to make projects to implement the strategy eligible for a grant
5 or loan from the fund;
6 (3) the types of projects that are eligible for financial support from the fund; and
7 (4) the criteria that will be used by a strategic review committee and the board to analyze
8 applications for a grant or loan from the fund.

9 (c) The policy developed by the corporation must be approved by the board after review by the
10 budget committee.

11 SECTION 57. IC 6-1.1-10-48, AS ADDED BY P.L.85-2019, SECTION 3, IS AMENDED TO READ
12 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) This section applies to assessment dates
13 occurring after December 31, 2016.

14 (b) Tangible property is exempt from property taxation if:

15 (1) it is owned by an Indiana nonprofit public benefit corporation exempt from taxation under
16 Section 501(c)(3) of the Internal Revenue Code;

17 (2) the property is used in the operation of a nonprofit health, fitness, aquatics, and community
18 center; and

19 (3) funds for the acquisition and development of the property have been provided in part under the
20 regional cities initiative of the Indiana economic development corporation under IC 5-28-38 (**before
21 its repeal**).

22 (c) The property that is exempt under this section also includes any part of the property that is leased
23 or licensed by the owner to another nonprofit or municipal entity for use as a nonprofit health, fitness,
24 aquatics, or community center and property used for storage and parking.

25 (d) For purposes of this section, a tract of land and any improvements on the land are exempt from
26 taxation if not more than four (4) years after the property is purchased, and for each year after the four
27 (4) year period, the owner demonstrates substantial progress and active pursuit towards the use of the tract
28 of land and any improvements on the tract as a nonprofit health, fitness, aquatics, and community center.
29 To establish substantial progress and active pursuit under this subsection, the owner must prove the
30 existence of factors such as the following:

31 (1) Organization of and activity by a building committee or other oversight group.

32 (2) Completion and filing of building plans with the appropriate local government authority.

33 (3) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to
34 believe actual construction can and will begin within four (4) years.

35 (4) The breaking of ground and the beginning of actual construction.

36 (5) Any other factor that would lead a reasonable individual to believe that construction of the
37 improvement is an active plan and that the improvement is capable of being completed within eight

38 (8) years considering the circumstances of the owner.

39 (e) To the extent the owner of property that is exempt from taxation as provided in this section has paid
40 any property taxes, penalties, or interest with respect to the property for the 2017 assessment date through
41 the 2018 assessment date, the owner of the exempt property is entitled to a refund of the amounts paid
42 on the exempt property. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for
43 a refund filed by the owner of exempt property under this subsection before September 1, 2019, is
44 considered timely filed. The county auditor shall pay the refund due under this subsection in one (1)
45 installment.

46 (f) If a refund is due under subsection (e) to an owner of property that is exempt under this section, the
47 owner is not entitled to interest on the refund under this article or any other law to the extent interest has



1 not been paid by or on behalf of the owner.

2 SECTION 58. IC 6-1.1-20.3-4, AS AMENDED BY P.L.241-2017, SECTION 5, IS AMENDED TO
3 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The distressed unit appeal board is
4 established.

5 (b) The distressed unit appeal board consists of the following members:

6 (1) The director of the office of management and budget or the director's designee. The director or
7 the director's designee shall serve as chairperson of the distressed unit appeal board.

8 (2) The commissioner of the department of local government finance or the commissioner's
9 designee.

10 (3) The state examiner of the state board of accounts or the state examiner's designee.

11 (4) The ~~state superintendent of public instruction~~ **secretary of education** or the ~~superintendent's~~
12 **secretary's** designee.

13 (5) An individual appointed by the governor.

14 (6) A member of the house of representatives appointed by the speaker of the house of
15 representatives, who shall serve as a nonvoting member.

16 (7) A member of the senate appointed by the president pro tempore of the senate, who shall serve
17 as a nonvoting member.

18 (8) A member to serve a one (1) year term in each even-numbered year who:

19 (A) is a member of the house of representatives; and

20 (B) is appointed by the minority leader of the house of representatives.

21 The member is a nonvoting member.

22 (9) A member to serve a one (1) year term in each odd-numbered year who:

23 (A) is a member of the senate; and

24 (B) is appointed by the minority leader of the senate.

25 The member is a nonvoting member.

26 (c) Each member of the board who is not a member of the general assembly is entitled to
27 reimbursement for:

28 (1) traveling expenses as provided under IC 4-13-1-4; and

29 (2) other expenses actually incurred in connection with the member's duties as provided in the state
30 policies and procedures established by the Indiana department of administration and approved by
31 the budget agency.

32 (d) Each member of the board who is a member of the general assembly is entitled to receive the same
33 per diem, mileage, and travel allowances paid to legislative members of interim study committees. Per
34 diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to
35 the legislative council or the legislative services agency.

36 SECTION 59. IC 6-2.5-1-5, AS AMENDED BY P.L.146-2020, SECTION 3, IS AMENDED TO
37 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) Except as provided in subsection (b),
38 "gross retail income" means the total amount of consideration, including cash, credit, property, and
39 services, for which tangible personal property is sold, leased, or rented, valued in money, whether
40 received in money or otherwise, without any deduction for:

41 (1) the seller's cost of the property sold;

42 (2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the
43 seller, all taxes imposed on the seller, and any other expense of the seller;

44 (3) charges by the seller for any services necessary to complete the sale, other than delivery and
45 installation charges;

46 (4) delivery charges; or

47 (5) consideration received by the seller from a third party if:



- 1 (A) the seller actually receives consideration from a party other than the purchaser and the
2 consideration is directly related to a price reduction or discount on the sale;
3 (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
4 (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller
5 at the time of the sale of the item to the purchaser; and
6 (D) the price reduction or discount is identified as a third party price reduction or discount on the
7 invoice received by the purchaser or on a coupon, certificate, or other documentation presented
8 by the purchaser.

9 For purposes of subdivision (4), delivery charges are charges by the seller for preparation and delivery
10 of the property to a location designated by the purchaser of property, including but not limited to
11 transportation, shipping, postage charges that are not separately stated on the invoice, bill of sale, or
12 similar document, handling, crating, and packing. Delivery charges do not include postage charges that
13 are separately stated on the invoice, bill of sale, or similar document.

14 (b) "Gross retail income" does not include that part of the gross receipts attributable to:

- 15 (1) the value of any tangible personal property received in a like kind exchange in the retail
16 transaction, if the value of the property given in exchange is separately stated on the invoice, bill of
17 sale, or similar document given to the purchaser;
18 (2) the receipts received in a retail transaction which constitute interest, finance charges, or
19 insurance premiums on either a promissory note or an installment sales contract;
20 (3) discounts, including cash, terms, or coupons that are not reimbursed by a third party that are
21 allowed by a seller and taken by a purchaser on a sale;
22 (4) interest, financing, and carrying charges from credit extended on the sale of personal property
23 if the amount is separately stated on the invoice, bill of sale, or similar document given to the
24 purchaser;
25 (5) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill
26 of sale, or similar document given to the purchaser, including an excise tax imposed under
27 IC 6-6-15;
28 (6) installation charges that are separately stated on the invoice, bill of sale, or similar document
29 given to the purchaser;
30 (7) telecommunications nonrecurring charges;
31 (8) postage charges that are separately stated on the invoice, bill of sale, or similar document; or
32 (9) charges for serving or delivering food and food ingredients furnished, prepared, or served for
33 consumption at a location, or on equipment, provided by the retail merchant, to the extent that the
34 charges for the serving or delivery are stated separately from the price of the food and food
35 ingredients when the purchaser pays the charges.

36 (c) Notwithstanding subsection (b)(5):

- 37 (1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is
38 the total sales price of the special fuel minus the part of that price attributable to tax imposed under
39 IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; ~~and~~
40 (2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income is the
41 total sales price of the cigarettes including the tax imposed under IC 6-7-1; ~~and~~
42 **(3) in the case of retail sales of consumable material (as defined in IC 6-7-4-1) and vapor**
43 **products (as defined in IC 6-7-4-6), the gross retail income received from selling at retail is the**
44 **total sales price of the consumable material (as defined in IC 6-7-4-1) and vapor products (as**
45 **defined in IC 6-7-4-6) including the tax imposed under IC 6-7-4.**

46 (d) Gross retail income is only taxable under this article to the extent that the income represents:

- 47 (1) the price of the property transferred, without the rendition of any services; and



1 (2) except as provided in subsection (b), any bona fide changes which are made for preparation,
2 fabrication, alteration, modification, finishing, completion, delivery, or other service performed in
3 respect to the property transferred before its transfer and which are separately stated on the
4 transferor's records. For purposes of this subdivision, a transfer is considered to have occurred after
5 the delivery of the property to the purchaser.

6 (e) A public utility's or a power subsidiary's gross retail income includes all gross retail income
7 received by the public utility or power subsidiary, including any minimum charge, flat charge,
8 membership fee, or any other form of charge or billing.

9 SECTION 60. IC 6-2.5-8-1, AS AMENDED BY P.L.146-2020, SECTION 16, IS AMENDED TO
10 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) A retail merchant may not make a retail
11 transaction in Indiana, unless the retail merchant has applied for a registered retail merchant's certificate.

12 (b) A retail merchant may obtain a registered retail merchant's certificate by filing an application with
13 the department and paying a registration fee of twenty-five dollars (\$25) for each place of business listed
14 on the application. The retail merchant shall also provide such security for payment of the tax as the
15 department may require under IC 6-2.5-6-12.

16 (c) The retail merchant shall list on the application the location (including the township) of each place
17 of business where the retail merchant makes retail transactions. However, if the retail merchant does not
18 have a fixed place of business, the retail merchant shall list the retail merchant's residence as the retail
19 merchant's place of business. In addition, a public utility may list only its principal Indiana office as its
20 place of business for sales of public utility commodities or service, but the utility must also list on the
21 application the places of business where it makes retail transactions other than sales of public utility
22 commodities or service.

23 (d) Upon receiving a proper application, the correct fee, and the security for payment, if required, the
24 department shall issue to the retail merchant a separate registered retail merchant's certificate for each
25 place of business listed on the application. Each certificate shall bear a serial number and the location of
26 the place of business for which it is issued.

27 (e) The department may deny an application for a registered retail merchant's certificate if the
28 applicant's business is operated, managed, or otherwise controlled by or affiliated with a person, including
29 a relative, family member, responsible officer, or owner, who the department has determined:

30 (1) failed to:

31 (A) file all tax returns or information reports with the department for listed taxes; or

32 (B) pay all taxes, penalties, and interest to the department for listed taxes; and

33 (2) the business of the person who has failed to file all tax returns or information reports under
34 subdivision (1)(A) or who has failed to pay all taxes, penalties, and interest under subdivision (1)(B)
35 is substantially similar to the business of the applicant.

36 (f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place
37 of business, the retail merchant must file a supplemental application and pay the fee for that place of
38 business.

39 (g) Except as provided in subsection (i), a registered retail merchant's certificate is valid for two (2)
40 years after the date the registered retail merchant's certificate is originally issued or renewed. If the retail
41 merchant has filed all returns and remitted all taxes the retail merchant is currently obligated to file or
42 remit, the department shall renew the registered retail merchant's certificate within thirty (30) days after
43 the expiration date, at no cost to the retail merchant. Before issuing or renewing the registered retail
44 merchant certification, the department may require the following to be provided:

45 (1) The names and addresses of the retail merchant's principal employees, agents, or representatives
46 who engage in Indiana in the solicitation or negotiation of the retail transaction.

47 (2) The location of all of the retail merchant's places of business in Indiana, including offices and



1 distribution houses.

2 (3) Any other information that the department requests.

3 (h) The department may not renew a registered retail merchant certificate of a retail merchant who is
4 delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette**
5 **tax under IC 6-7-4**, or sales or use tax. The department, at least sixty (60) days before the date on which
6 a retail merchant's registered retail merchant's certificate expires, shall notify a retail merchant who is
7 delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette**
8 **tax under IC 6-7-4**, or sales or use tax that the department will not renew the retail merchant's registered
9 retail merchant's certificate.

10 (i) If:

11 (1) a retail merchant has been notified by the department that the retail merchant is delinquent in
12 remitting withholding taxes or sales or use tax in accordance with subsection (h); and

13 (2) the retail merchant pays the outstanding liability before the expiration of the retail merchant's
14 registered retail merchant's certificate;

15 the department shall renew the retail merchant's registered retail merchant's certificate for one (1) year.

16 (j) The department may permit an out-of-state retail merchant to collect the gross retail tax in instances
17 where the retail merchant has not met the thresholds in IC 6-2.5-2-1(d). However, before the out-of-state
18 retail merchant may collect the tax, the out-of-state retail merchant must obtain a registered retail
19 merchant's certificate in the manner provided by this section. Upon receiving the certificate, the
20 out-of-state retail merchant becomes subject to the same conditions and duties as an Indiana retail
21 merchant and must then collect the gross retail tax due on all retail transactions that the out-of-state retail
22 merchant knows are sourced to Indiana pursuant to IC 6-2.5-13-1.

23 (k) Except as provided in subsection (l), the department shall submit to the township assessor, or the
24 county assessor if there is no township assessor for the township, before January 15 of each year:

25 (1) the name of each retail merchant that has newly obtained a registered retail merchant's certificate
26 during the preceding year for a place of business located in the township or county;

27 (2) the address of each place of business of the taxpayer in the township or county described in
28 subdivision (1);

29 (3) the name of each retail merchant that:

30 (A) held a registered retail merchant's certificate at any time during the preceding year for a place
31 of business located in the township or county; and

32 (B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year
33 for the place of business; and

34 (4) the address of each place of business described in subdivision (3).

35 (l) If the duties of the township assessor have been transferred to the county assessor as described in
36 IC 6-1.1-1-24, the department shall submit the information listed in subsection (k) to the county assessor.

37 SECTION 61. IC 6-3-1-3.5, AS AMENDED BY P.L.146-2020, SECTION 21, IS AMENDED TO
38 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3.5. When used in this article, the term
39 "adjusted gross income" shall mean the following:

40 (a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal
41 Revenue Code), modified as follows:

42 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
43 of the United States.

44 (2) Except as provided in subsection (c), add an amount equal to any deduction or deductions
45 allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or
46 measured by income and levied at the state level by any state of the United States.

47 (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and



1 wife, subtract for each spouse one thousand dollars (\$1,000).
2 (4) Subtract one thousand dollars (\$1,000) for:
3 (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as
4 effective January 1, 2017);
5 (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
6 (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for
7 the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not
8 the dependent of another taxpayer.
9 (5) Subtract:
10 (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section
11 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004);
12 (B) one thousand five hundred dollars (\$1,500) for each exemption allowed under Section 151(c)
13 of the Internal Revenue Code (as effective January 1, 2017) for an individual:
14 (i) who is less than nineteen (19) years of age or is a full-time student who is less than
15 twenty-four (24) years of age;
16 (ii) for whom the taxpayer is the legal guardian; and
17 (iii) for whom the taxpayer does not claim an exemption under clause (A); and
18 (C) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of
19 the Internal Revenue Code if the federal adjusted gross income of the taxpayer, or the taxpayer
20 and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars
21 (\$40,000). In the case of a married individual filing a separate return, the qualifying income
22 amount in this clause is equal to twenty thousand dollars (\$20,000).
23 This amount is in addition to the amount subtracted under subdivision (4).
24 (6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal
25 Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted
26 gross income.
27 (7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code
28 which amounts were received by the individual as supplemental railroad retirement annuities under
29 45 U.S.C. 231 and which are not deductible under subdivision (1).
30 (8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement
31 benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.
32 (9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less
33 than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to
34 subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total
35 as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.
36 (10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1,
37 IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted
38 gross income with respect to which the individual is not allowed under federal law to retain an
39 amount to pay state and local income taxes.
40 (11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement
41 payment included in the individual's federal adjusted gross income.
42 (12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the
43 taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the
44 taxpayer's spouse if the taxpayer and the taxpayer's spouse file a joint income tax return or the
45 taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.
46 (13) Subtract an amount equal to the lesser of:
47 (A) two thousand five hundred dollars (\$2,500), or one thousand two hundred fifty dollars



1 (\$1,250) in the case of a married individual filing a separate return; or
2 (B) the amount of property taxes that are paid during the taxable year in Indiana by the individual
3 on the individual's principal place of residence.

4 (14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment
5 included in the individual's federal adjusted gross income.

6 (15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
7 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
8 taxable year equal to the amount of adjusted gross income that would have been computed had an
9 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
10 depreciation to the property in the year that it was placed in service.

11 (16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
12 (concerning net operating losses).

13 (17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
14 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
15 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
16 that would have been computed had an election for federal income tax purposes not been made for
17 the year in which the property was placed in service to take deductions under Section 179 of the
18 Internal Revenue Code in a total amount exceeding the sum of:

19 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
20 Internal Revenue Code were not elected as provided in clause (B); and
21 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
22 179 of the Internal Revenue Code on property acquired in an exchange if:

23 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
24 1031 of the Internal Revenue Code in effect on January 1, 2017;
25 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
26 Internal Revenue Code; and
27 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
28 Revenue Code with regard to the acquired property in the year that the property was placed into
29 service.

30 The amount of deductions allowable for an item of property under this clause may not exceed the
31 amount of adjusted gross income realized on the property that would have been deferred under
32 the Internal Revenue Code in effect on January 1, 2017.

33 (18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not
34 excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the
35 Internal Revenue Code.

36 (19) Subtract income that is:

37 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
38 (B) included in the individual's federal adjusted gross income under the Internal Revenue Code.

39 (20) Add an amount equal to any income not included in gross income as a result of the deferral of
40 income arising from business indebtedness discharged in connection with the reacquisition after
41 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
42 Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross
43 income of any taxpayer that added an amount to adjusted gross income in a previous year to offset
44 the amount included in federal gross income as a result of the deferral of income arising from
45 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
46 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
47 Internal Revenue Code.



1 (21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
2 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
3 of such a state, that is acquired by the taxpayer after December 31, 2011.

4 (22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the
5 extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for
6 a prior taxable year.

7 (23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction
8 for deferred foreign income that was claimed by the taxpayer for the taxable year under Section
9 965(c) of the Internal Revenue Code.

10 (24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
11 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
12 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
13 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
14 interest expense is considered paid or accrued only in the first taxable year the deduction would have
15 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
16 163(j)(1) of the Internal Revenue Code did not exist.

17 (25) Subtract the amount that would have been excluded from gross income but for the enactment
18 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

19 (26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.

20 **(27) Subtract the amount of an annual grant amount distributed to a taxpayer's Indiana**
21 **education scholarship account under IC 20-51.4-4-2 that is used for a qualified expense (as**
22 **defined in IC 20-51.4-2-11), to the extent the distribution used for the qualified expense is**
23 **included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.**

24 (b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal
25 Revenue Code) adjusted as follows:

26 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
27 of the United States.

28 (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section
29 170 of the Internal Revenue Code (concerning charitable contributions).

30 (3) Except as provided in subsection (c), add an amount equal to any deduction or deductions
31 allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or
32 measured by income and levied at the state level by any state of the United States.

33 (4) Subtract an amount equal to the amount included in the corporation's taxable income under
34 Section 78 of the Internal Revenue Code (concerning foreign tax credits).

35 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
36 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
37 taxable year equal to the amount of adjusted gross income that would have been computed had an
38 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
39 depreciation to the property in the year that it was placed in service.

40 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
41 (concerning net operating losses).

42 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
43 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
44 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
45 that would have been computed had an election for federal income tax purposes not been made for
46 the year in which the property was placed in service to take deductions under Section 179 of the
47 Internal Revenue Code in a total amount exceeding the sum of:



1 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
2 Internal Revenue Code were not elected as provided in clause (B); and
3 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
4 179 of the Internal Revenue Code on property acquired in an exchange if:
5 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
6 1031 of the Internal Revenue Code in effect on January 1, 2017;
7 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
8 Internal Revenue Code; and
9 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
10 Revenue Code with regard to the acquired property in the year that the property was placed into
11 service.
12 The amount of deductions allowable for an item of property under this clause may not exceed the
13 amount of adjusted gross income realized on the property that would have been deferred under
14 the Internal Revenue Code in effect on January 1, 2017.

15 (8) Add to the extent required by IC 6-3-2-20:
16 (A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that
17 reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code)
18 for federal income tax purposes; and
19 (B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the
20 corporation's adjusted gross income (determined without regard to this subdivision). For purposes
21 of this clause, any directly related interest expense that constitutes business interest within the
22 meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the
23 taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise
24 would have been allowable under Section 163 of the Internal Revenue Code if the limitation
25 under Section 163(j)(1) of the Internal Revenue Code did not exist.

26 (9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the
27 Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in
28 section 34.5 of this chapter).

29 (10) Subtract income that is:
30 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
31 (B) included in the corporation's taxable income under the Internal Revenue Code.

32 (11) Add an amount equal to any income not included in gross income as a result of the deferral of
33 income arising from business indebtedness discharged in connection with the reacquisition after
34 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
35 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
36 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
37 offset the amount included in federal gross income as a result of the deferral of income arising from
38 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
39 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
40 Internal Revenue Code.

41 (12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
42 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
43 of such a state, that is acquired by the taxpayer after December 31, 2011.

44 (13) For taxable years beginning after December 25, 2016:
45 (A) for a corporation other than a real estate investment trust, add:
46 (i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax
47 Statement, line 1; or



1 (ii) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
2 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
3 deducted under Section 965(c) of the Internal Revenue Code; and
4 (B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign
5 income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal
6 Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965
7 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required
8 to add back dividends paid under subdivision (9).

9 (14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year
10 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed
11 income). The taxpayer shall separately specify the amount of the reduction under Section
12 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal
13 Revenue Code.

14 (15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
15 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
16 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
17 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
18 interest expense is considered paid or accrued only in the first taxable year the deduction would have
19 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
20 163(j)(1) of the Internal Revenue Code did not exist.

21 (16) Subtract the amount that would have been excluded from gross income but for the enactment
22 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

23 (17) Add or subtract any other amounts the taxpayer is:
24 (A) required to add or subtract; or
25 (B) entitled to deduct;
26 under IC 6-3-2.

27 (c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add
28 back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided
29 in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:
30 (1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is
31 required to add back under this section eighty-seven and five-tenths percent (87.5%) of any
32 deduction allowed on the taxpayer's federal income tax return for wagering taxes.
33 (2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is
34 required to add back under this section seventy-five percent (75%) of any deduction allowed on the
35 taxpayer's federal income tax return for wagering taxes.
36 (3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is
37 required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction
38 allowed on the taxpayer's federal income tax return for wagering taxes.
39 (4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is
40 required to add back under this section fifty percent (50%) of any deduction allowed on the
41 taxpayer's federal income tax return for wagering taxes.
42 (5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is
43 required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction
44 allowed on the taxpayer's federal income tax return for wagering taxes.
45 (6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is
46 required to add back under this section twenty-five percent (25%) of any deduction allowed on the
47 taxpayer's federal income tax return for wagering taxes.



1 (7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is
2 required to add back under this section twelve and five-tenths percent (12.5%) of any deduction
3 allowed on the taxpayer's federal income tax return for wagering taxes.

4 (8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back
5 under this section any amount of a deduction allowed on the taxpayer's federal income tax return for
6 wagering taxes.

7 (d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code)
8 that are organized under Indiana law, the same as "life insurance company taxable income" (as defined
9 in Section 801 of the Internal Revenue Code), adjusted as follows:

10 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
11 of the United States.

12 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal
13 Revenue Code (concerning charitable contributions).

14 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)
15 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level
16 by any state.

17 (4) Subtract an amount equal to the amount included in the company's taxable income under Section
18 78 of the Internal Revenue Code (concerning foreign tax credits).

19 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
20 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
21 taxable year equal to the amount of adjusted gross income that would have been computed had an
22 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
23 depreciation to the property in the year that it was placed in service.

24 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
25 (concerning net operating losses).

26 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
27 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
28 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
29 that would have been computed had an election for federal income tax purposes not been made for
30 the year in which the property was placed in service to take deductions under Section 179 of the
31 Internal Revenue Code in a total amount exceeding the sum of:

32 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
33 Internal Revenue Code were not elected as provided in clause (B); and

34 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
35 179 of the Internal Revenue Code on property acquired in an exchange if:

36 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
37 1031 of the Internal Revenue Code in effect on January 1, 2017;

38 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
39 Internal Revenue Code; and

40 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
41 Revenue Code with regard to the acquired property in the year that the property was placed into
42 service.

43 The amount of deductions allowable for an item of property under this clause may not exceed the
44 amount of adjusted gross income realized on the property that would have been deferred under
45 the Internal Revenue Code in effect on January 1, 2017.

46 (8) Subtract income that is:

47 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and



1 (B) included in the insurance company's taxable income under the Internal Revenue Code.

2 (9) Add an amount equal to any income not included in gross income as a result of the deferral of

3 income arising from business indebtedness discharged in connection with the reacquisition after

4 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in

5 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any

6 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to

7 offset the amount included in federal gross income as a result of the deferral of income arising from

8 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and

9 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the

10 Internal Revenue Code.

11 (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal

12 Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter

13 N of the Internal Revenue Code.

14 (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue

15 Code for interest received on an obligation of a state other than Indiana, or a political subdivision

16 of such a state, that is acquired by the taxpayer after December 31, 2011.

17 (12) For taxable years beginning after December 25, 2016, add:

18 (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax

19 Statement, line 1; or

20 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in

21 determining the taxpayer's taxable income for purposes of the federal income tax, the amount

22 deducted under Section 965(c) of the Internal Revenue Code.

23 (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year

24 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed

25 income). The taxpayer shall separately specify the amount of the reduction under Section

26 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal

27 Revenue Code.

28 (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as

29 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any

30 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section

31 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an

32 interest expense is considered paid or accrued only in the first taxable year the deduction would have

33 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section

34 163(j)(1) of the Internal Revenue Code did not exist.

35 (15) Subtract the amount that would have been excluded from gross income but for the enactment

36 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

37 (16) Add or subtract any other amounts the taxpayer is:

38 (A) required to add or subtract; or

39 (B) entitled to deduct;

40 under IC 6-3-2.

41 (e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code

42 and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal

43 Revenue Code), adjusted as follows:

44 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes

45 of the United States.

46 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal

47 Revenue Code (concerning charitable contributions).



1 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)
2 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level
3 by any state.

4 (4) Subtract an amount equal to the amount included in the company's taxable income under Section
5 78 of the Internal Revenue Code (concerning foreign tax credits).

6 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
7 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
8 taxable year equal to the amount of adjusted gross income that would have been computed had an
9 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
10 depreciation to the property in the year that it was placed in service.

11 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
12 (concerning net operating losses).

13 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
14 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
15 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
16 that would have been computed had an election for federal income tax purposes not been made for
17 the year in which the property was placed in service to take deductions under Section 179 of the
18 Internal Revenue Code in a total amount exceeding the sum of:

19 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
20 Internal Revenue Code were not elected as provided in clause (B); and

21 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
22 179 of the Internal Revenue Code on property acquired in an exchange if:

23 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
24 1031 of the Internal Revenue Code in effect on January 1, 2017;

25 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
26 Internal Revenue Code; and

27 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
28 Revenue Code with regard to the acquired property in the year that the property was placed into
29 service.

30 The amount of deductions allowable for an item of property under this clause may not exceed the
31 amount of adjusted gross income realized on the property that would have been deferred under
32 the Internal Revenue Code in effect on January 1, 2017.

33 (8) Subtract income that is:

34 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

35 (B) included in the insurance company's taxable income under the Internal Revenue Code.

36 (9) Add an amount equal to any income not included in gross income as a result of the deferral of
37 income arising from business indebtedness discharged in connection with the reacquisition after
38 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
39 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
40 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
41 offset the amount included in federal gross income as a result of the deferral of income arising from
42 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
43 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
44 Internal Revenue Code.

45 (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal
46 Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter
47 N of the Internal Revenue Code.



1 (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
2 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
3 of such a state, that is acquired by the taxpayer after December 31, 2011.

4 (12) For taxable years beginning after December 25, 2016, add:

5 (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax
6 Statement, line 1; or

7 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
8 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
9 deducted under Section 965(c) of the Internal Revenue Code.

10 (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year
11 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed
12 income). The taxpayer shall separately specify the amount of the reduction under Section
13 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal
14 Revenue Code.

15 (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
16 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
17 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
18 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
19 interest expense is considered paid or accrued only in the first taxable year the deduction would have
20 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
21 163(j)(1) of the Internal Revenue Code did not exist.

22 (15) Subtract the amount that would have been excluded from gross income but for the enactment
23 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

24 (16) Add or subtract any other amounts the taxpayer is:

25 (A) required to add or subtract; or

26 (B) entitled to deduct;

27 under IC 6-3-2.

28 (f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b)
29 of the Internal Revenue Code) adjusted as follows:

30 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes
31 of the United States.

32 (2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment
33 included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist
34 attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

35 (3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
36 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier
37 taxable year equal to the amount of adjusted gross income that would have been computed had an
38 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus
39 depreciation to the property in the year that it was placed in service.

40 (4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code
41 (concerning net operating losses).

42 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that
43 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in
44 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income
45 that would have been computed had an election for federal income tax purposes not been made for
46 the year in which the property was placed in service to take deductions under Section 179 of the
47 Internal Revenue Code in a total amount exceeding the sum of:



1 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the
2 Internal Revenue Code were not elected as provided in clause (B); and

3 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section
4 179 of the Internal Revenue Code on property acquired in an exchange if:

5 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section
6 1031 of the Internal Revenue Code in effect on January 1, 2017;

7 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the
8 Internal Revenue Code; and

9 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal
10 Revenue Code with regard to the acquired property in the year that the property was placed into
11 service.

12 The amount of deductions allowable for an item of property under this clause may not exceed the
13 amount of adjusted gross income realized on the property that would have been deferred under
14 the Internal Revenue Code in effect on January 1, 2017.

15 (6) Subtract income that is:

16 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

17 (B) included in the taxpayer's taxable income under the Internal Revenue Code.

18 (7) Add an amount equal to any income not included in gross income as a result of the deferral of
19 income arising from business indebtedness discharged in connection with the reacquisition after
20 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in
21 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any
22 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to
23 offset the amount included in federal gross income as a result of the deferral of income arising from
24 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and
25 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the
26 Internal Revenue Code.

27 (8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue
28 Code for interest received on an obligation of a state other than Indiana, or a political subdivision
29 of such a state, that is acquired by the taxpayer after December 31, 2011.

30 (9) For taxable years beginning after December 25, 2016, add an amount equal to:

31 (A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

32 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in
33 determining the taxpayer's taxable income for purposes of the federal income tax, the amount
34 deducted under Section 965(c) of the Internal Revenue Code; and

35 (C) with regard to any amounts of income under Section 965 of the Internal Revenue Code
36 distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code
37 attributable to such distributed amounts and not reported to the beneficiary.

38 For purposes of this article, the amount required to be added back under clause (B) is not considered
39 to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651
40 and 661 of the Internal Revenue Code.

41 (10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as
42 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any
43 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section
44 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an
45 interest expense is considered paid or accrued only in the first taxable year the deduction would have
46 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section
47 163(j)(1) of the Internal Revenue Code did not exist.



1 (11) Add an amount equal to the deduction for qualified business income that was claimed by the
2 taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

3 (12) Subtract the amount that would have been excluded from gross income but for the enactment
4 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

5 (13) Add or subtract any other amounts the taxpayer is:

6 (A) required to add or subtract; or

7 (B) entitled to deduct;

8 under IC 6-3-2.

9 (g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add
10 back or allow a deduction or exemption more than once for a particular add back, deduction, or
11 exemption.

12 (h) For taxable years beginning after December 25, 2016, if:

13 (1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit
14 foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the
15 earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign
16 corporation is permitted to reduce the federal adjusted gross income or federal taxable income of
17 the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this
18 section to the extent permitted under the Internal Revenue Code, however, in no case shall this
19 permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for
20 purposes of this section to be less than zero (0); and

21 (2) the Internal Revenue Service issues guidance that such an income or deduction is not reported
22 directly on a federal tax return or is to be reported in a manner different than specified in this
23 section, this section shall be construed as if federal adjusted gross income or federal taxable income
24 included the income or deduction.

25 SECTION 62. IC 6-3-1-11, AS AMENDED BY P.L.146-2020, SECTION 22, IS AMENDED TO
26 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021 (RETROACTIVE)]: Sec. 11. (a) The term
27 "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and
28 in effect on January 1, ~~2020~~ 2021.

29 (b) Whenever the Internal Revenue Code is mentioned in this article, **or in another provision of the**
30 **Indiana Code that cites to the definition of "Internal Revenue Code" provided in this section,** the
31 particular provisions that are referred to, together with all the other provisions of the Internal Revenue
32 Code in effect on January 1, ~~2020~~ 2021, that pertain to the provisions specifically mentioned, shall be
33 regarded as incorporated in this article by reference and have the same force and effect as though fully
34 set forth in this article. **To the extent that a federal statute in the United States Code is enacted or**
35 **amended in a title other than the Internal Revenue Code on or before January 1, 2021, and affects**
36 **federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax**
37 **attributes, the federal statute shall be considered to be part of the Internal Revenue Code as**
38 **amended and in effect on January 1, 2021. Such federal statutes include, but are not limited to,**
39 **federal statutes enacted or amended in the federal Coronavirus Aid, Relief, and Economic Security**
40 **(CARES) Act (P.L. 116-136) and the federal Consolidated Appropriations Act, 2021 (P.L. 116-260).**

41 To the extent:

42 (1) the provisions of the **Internal Revenue Code** apply to this article, regulations adopted under
43 Section 7805(a) of the Internal Revenue Code, and in effect on January 1, ~~2020~~ 2021; and

44 (2) a **federal statute in the United States Code that is enacted or amended in a title other than**
45 **the Internal Revenue Code on or before January 1, 2021, and affects federal adjusted gross**
46 **income, federal taxable income, federal tax credits, or other federal tax attributes applies to**
47 **this article, regulations adopted under the federal statute of the United States Code and in**



1 **effect on January 1, 2021;**
2 shall be regarded as rules adopted by the department under this article, unless the department adopts
3 specific rules that supersede the regulation.

4 (c) An amendment to the Internal Revenue Code made by an act passed by Congress before January
5 1, ~~2020~~, **2021**, other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax
6 Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year
7 that began before January 1, ~~2020~~, **2021**, and that affects:

- 8 (1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);
- 9 (2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);
- 10 (3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);
- 11 (4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue
12 Code);
- 13 (5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue
14 Code); or
- 15 (6) taxable income (as defined in Section 832 of the Internal Revenue Code);

16 is also effective for that same taxable year for purposes of determining adjusted gross income under
17 section 3.5 of this chapter **and IC 6-5.5-1-2.**

18 (d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions
19 of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance
20 Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not
21 amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010
22 (P.L. 111-312):

- 23 (1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock
24 of shareholders.
- 25 (2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment
26 of certain dividends of regulated investment companies.
- 27 (3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment
28 companies qualified entity treatment.
- 29 (4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax
30 treatment of certain payments to controlling exempt organizations.
- 31 (5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on
32 percentage depletion in the case of oil and gas wells.
- 33 (6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions
34 to implement Federal Energy Regulatory Commission or state electric restructuring policy for
35 qualified electric utilities.
- 36 (7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of
37 payments between related controlled foreign corporation under foreign personal holding company
38 rules.

39 The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this
40 subsection.

41 **SECTION 63. IC 6-3.1-24-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO**
42 **READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 2.5. As used in this chapter, "qualified**
43 **Indiana investment fund" means any private fund that meets the definition of a venture capital**
44 **fund in 17 CFR 275.203(l)-1 and that is certified by the Indiana economic development corporation**
45 **as provided in section 7.5 of this chapter.**

46 **SECTION 64. IC 6-3.1-24-3, AS AMENDED BY P.L.193-2005, SECTION 16, IS AMENDED TO**
47 **READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 3. As used in this chapter, "qualified**



1 investment capital" means debt or equity capital that is provided to a qualified Indiana business **or a**
2 **qualified Indiana investment fund** after December 31, 2003. However, the term does not include debt
3 that:

- 4 (1) is provided by a financial institution (as defined in IC 5-13-4-10) after May 15, 2005; and
- 5 (2) is secured by a valid mortgage, security agreement, or other agreement or document that
- 6 establishes a collateral or security position for the financial institution that is senior to all collateral
- 7 or security interests of other taxpayers that provide debt or equity capital to the qualified Indiana
- 8 business.

9 SECTION 65. IC 6-3.1-24-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
10 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 4.5. (a) As used in this chapter,**
11 **"substantial presence" means:**

- 12 (1) maintaining a company headquarters in Indiana; or
- 13 (2) maintaining at least seventy-five percent (75%) of a company's total payroll in Indiana.

14 (b) Notwithstanding subsection (a), a company receiving qualified investment capital from a
15 qualified Indiana investment fund shall be considered to have substantial presence in Indiana if the
16 company commits to relocate:

- 17 (1) its headquarters; or
- 18 (2) seventy-five percent (75%) of its total payroll;

19 to Indiana within one (1) year of receiving qualified investment capital from a qualified Indiana
20 investment fund.

21 SECTION 66. IC 6-3.1-24-6, AS AMENDED BY P.L.4-2005, SECTION 97, IS AMENDED TO
22 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 6. A taxpayer that:**

- 23 (1) provides qualified investment capital to a qualified Indiana business **or a qualified Indiana**
24 **investment fund;** and
- 25 (2) fulfills the requirements of the Indiana economic development corporation under section 12.5
26 of this chapter;

27 is entitled to a credit against the ~~person's~~ **taxpayer's** state tax liability in a taxable year equal to the
28 amount specified in section ~~40 8~~ **or 8.5** of this chapter, **whichever is applicable.**

29 SECTION 67. IC 6-3.1-24-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
30 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7.5. (a) The Indiana economic**
31 **development corporation may certify that an investment fund is a qualified Indiana investment**
32 **fund if the corporation determines that the fund meets the definition in section 2.5 of this chapter**
33 **and the requirements in subsection (b).**

34 (b) The Indiana economic development corporation may only certify a fund as a qualified
35 Indiana investment fund if the fund makes investments according to a policy that:

- 36 (1) requires eligible companies to be primarily focused on the commercialization of research
- 37 and development, technology transfer, or application of new technology; and
- 38 (2) prioritizes investments in companies that:
 - 39 (A) have received a grant, loan, or other investment funds provided by the Indiana
 - 40 twenty-first century research and technology fund established by IC 5-28-16-2; or
 - 41 (B) maintain a substantial presence in Indiana.

42 (c) An investment fund must apply to be certified as a qualified Indiana investment fund on a
43 form prescribed by the Indiana economic development corporation.

44 (d) If an investment fund is certified as a qualified Indiana investment fund under this section,
45 the Indiana economic development corporation shall provide a copy of the certification to the
46 investors in the qualified Indiana investment fund for inclusion in tax filings.

47 SECTION 68. IC 6-3.1-24-8, AS AMENDED BY P.L.172-2011, SECTION 67, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) A certification provided under
2 section 7 of this chapter must include notice to the investors of the maximum amount of tax credits
3 available under this chapter for the provision of qualified investment capital to the qualified Indiana
4 business.

5 (b) For a calendar year ending before January 1, 2011, the maximum amount of tax credits available
6 under this chapter for the provision of qualified investment capital to a particular qualified Indiana
7 business equals the lesser of:

- 8 (1) the total amount of qualified investment capital provided to the qualified Indiana business in the
9 calendar year, multiplied by twenty percent (20%); or
10 (2) five hundred thousand dollars (\$500,000).

11 (c) For a calendar year beginning after December 31, 2010, **and ending before January 1, 2022**, the
12 maximum amount of tax credits available under this chapter for the provision of qualified investment
13 capital to a particular qualified Indiana business equals the lesser of the following:

- 14 (1) The total amount of qualified investment capital provided to the qualified Indiana business in
15 the calendar year, multiplied by twenty percent (20%).
16 (2) One million dollars (\$1,000,000).

17 (d) **For a calendar year beginning after December 31, 2021, the maximum amount of tax credits**
18 **available under this chapter for the provision of qualified investment capital to a particular**
19 **qualified Indiana business equals the lesser of the following:**

- 20 (1) **The total amount of qualified investment capital provided to the qualified Indiana business**
21 **in the calendar year, multiplied by twenty-five percent (25%).**
22 (2) **One million dollars (\$1,000,000).**

23 (e) **Notwithstanding subsection (d), for a calendar year beginning after December 31, 2021, the**
24 **maximum amount of tax credits available under this chapter for the provision of qualified**
25 **investment capital to a particular qualified Indiana business, if the qualified Indiana business is a**
26 **minority business enterprise or a women's business enterprise, equals the lesser of the following:**

- 27 (1) **The total amount of qualified investment capital provided to the qualified Indiana business**
28 **in the calendar year, multiplied by thirty percent (30%).**
29 (2) **One million five hundred thousand dollars (\$1,500,000).**

30 SECTION 69. IC 6-3.1-24-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
31 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 8.5. (a) A certification provided under**
32 **section 7.5 of this chapter must include notice to investors of the maximum amount of tax credits**
33 **available under this chapter for the provision of qualified investment capital to the qualified**
34 **Indiana investment fund.**

35 (b) **The maximum amount of tax credits available under this chapter for the provision of**
36 **qualified investment capital to a qualified Indiana investment fund equals the lesser of the**
37 **following:**

- 38 (1) **The total amount of qualified investment capital provided to the qualified Indiana**
39 **investment fund in the calendar year, multiplied by twenty percent (20%).**
40 (2) **Five million dollars (\$5,000,000).**

41 SECTION 70. IC 6-3.1-24-9 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. ~~Sec. 9: The total~~
42 ~~amount of tax credits that may be approved by the corporation under this chapter in a particular calendar~~
43 ~~year for qualified investment capital provided during that calendar year may not exceed twelve million~~
44 ~~five hundred thousand dollars (\$12,500,000). An amount of an unused credit carried over by a taxpayer~~
45 ~~from a previous calendar year may not be considered in determining the amount of proposed investments~~
46 ~~that the Indiana economic development corporation may certify under this chapter.~~

47 SECTION 71. IC 6-3.1-24-10 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. ~~Sec. 10: Subject to~~



1 sections 8 and 13 of this chapter, the amount of the credit to which a taxpayer is entitled under section
2 6 this chapter equals the product of:

- 3 (1) twenty percent (20%); multiplied by
- 4 (2) the amount of the qualified investment capital provided to a qualified Indiana business by the
5 taxpayer in the taxable year.

6 SECTION 72. IC 6-3.1-24-12, AS AMENDED BY P.L.158-2019, SECTION 14, IS AMENDED TO
7 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. (a) If the amount of the credit
8 determined under section ~~10 8 or 8.5~~ of this chapter for a taxpayer in a taxable year exceeds the taxpayer's
9 state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to
10 exceed the taxpayer's following five (5) taxable years. The amount of the credit carryover from a taxable
11 year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this
12 chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any
13 unused credit amount.

14 (b) If the corporation certifies a credit for an investment that is made after June 30, 2020, and before
15 July 1, 2029, the taxpayer may assign all or part of the credit to which the taxpayer is entitled under this
16 chapter, subject to the limitations set forth in subsection (c).

17 (c) The following apply to the assignment of a credit under this chapter:

- 18 (1) A taxpayer may not assign all or part of a credit or credits to a particular person in amounts that
19 are less than ten thousand dollars (\$10,000).
- 20 (2) Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of
21 the credit in the manner prescribed by the corporation.
- 22 (3) An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the
23 assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment
24 is made, in the manner prescribed by the department.
- 25 (4) Once a particular credit or credits are assigned, the assignee may not assign all or part of the
26 credit or credits to another person.
- 27 (5) A taxpayer may not receive value in connection with an assignment under this section that
28 exceeds the value of that part of the credit assigned.

29 (d) The corporation shall collect and compile data on the assignments of tax credits under this chapter
30 and determine the effectiveness of each assignment in getting projects completed. The corporation shall
31 report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6
32 before November 1, 2022. This subsection expires January 1, 2023.

33 SECTION 73. IC 6-3.1-24-12.5, AS AMENDED BY P.L.193-2005, SECTION 20, IS AMENDED TO
34 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12.5. (a) A taxpayer wishing to obtain
35 a credit under this chapter must apply to the Indiana economic development corporation for a certification
36 that the taxpayer's proposed investment plan would qualify for a credit under this chapter.

37 (b) The application required under subsection (a) must include:

- 38 (1) the name and address of the taxpayer;
- 39 (2) the name and address of each proposed recipient of the taxpayer's proposed investment;
- 40 (3) the amount of the proposed investment;
- 41 (4) a copy of the certification issued under section 7 or 7.5 of this chapter that the proposed recipient
42 is a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable;**
43 and
- 44 (5) any other information required by the Indiana economic development corporation.

45 (c) If the Indiana economic development corporation determines that

- 46 (1) the proposed investment would qualify the taxpayer for a credit under this chapter, ~~and~~
- 47 (2) the amount of the proposed investment would not result in the total amount of tax credits



1 certified for the calendar year exceeding twelve million five hundred thousand dollars
2 (\$12,500,000);

3 the corporation ~~shall~~ **may** certify the taxpayer's proposed investment plan.

4 (d) To receive a credit under this chapter, the taxpayer must provide qualified investment capital to
5 a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable**, according
6 to the taxpayer's certified investment plan within two (2) years after the date on which the Indiana
7 economic development corporation certifies the investment plan.

8 (e) Upon making the investment required under subsection (d), the taxpayer shall provide proof of the
9 investment to the Indiana economic development corporation.

10 (f) Upon receiving proof of a taxpayer's investment under subsection (e), the Indiana economic
11 development corporation shall issue the taxpayer a certificate indicating that the taxpayer has fulfilled the
12 requirements of the corporation and that the taxpayer is entitled to a credit under this chapter.

13 **(g) Notwithstanding subsection (f), if a taxpayer is issued a certificate by the Indiana economic**
14 **development corporation for an investment made in a qualified Indiana investment fund, a**
15 **taxpayer may not claim the credit as provided in section 13 of this chapter before July 1, 2023.**

16 ~~(g)~~ **(h)** A taxpayer forfeits the right to a tax credit attributable to an investment certified under
17 subsection (c) if the taxpayer fails to make the proposed investment within the period required under
18 subsection (d).

19 SECTION 74. IC 6-3.1-24-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
20 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 15. (a) Before January 1, 2022, the**
21 **total amount of credits that may be awarded by the Indiana economic development corporation**
22 **under this chapter for investment plans certified as provided in section 12.5 of this chapter that**
23 **propose investing qualified investment capital in a particular qualified Indiana business during a**
24 **particular calendar year is twelve million five hundred thousand dollars (\$12,500,000).**

25 **(b) After December 31, 2021, the total amount of credits that may be awarded by the Indiana**
26 **economic development corporation under this chapter for investment plans certified as provided**
27 **in section 12.5 of this chapter that propose investing qualified investment capital in a particular**
28 **qualified Indiana business or qualified Indiana investment fund during a particular calendar year**
29 **is twenty million dollars (\$20,000,000), provided that not more than seven million five hundred**
30 **thousand dollars (\$7,500,000) may be awarded for proposed investments of qualified investment**
31 **capital in a qualified Indiana investment fund.**

32 SECTION 75. IC 6-3.1-30.5-13, AS AMENDED BY P.L.108-2019, SECTION 123, IS AMENDED
33 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 13. (a) The total amount of tax credits**
34 **awarded under this chapter may not exceed nine million five hundred thousand dollars (\$9,500,000) in**
35 **the state fiscal year beginning July 1, 2016, and ending June 30, 2017.**

36 **(b) The total amount of tax credits awarded under this chapter in a state fiscal year may not exceed the**
37 **following:**

38 (1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning
39 July 1, 2017, and ending June 30, 2018.

40 (2) Fourteen million dollars (\$14,000,000) for the state fiscal year beginning July 1, 2018, and
41 ending June 30, 2019.

42 (3) Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending
43 June 30, 2020.

44 (4) Sixteen million five hundred thousand dollars (\$16,500,000) for ~~each~~ **the** state fiscal year
45 beginning ~~after June 30, 2020~~ **July 1, 2020, and ending June 30, 2021.**

46 **(5) Eighteen million dollars (\$18,000,000) for the state fiscal year beginning July 1, 2021, and**
47 **ending June 30, 2022.**



1 **(6) Nineteen million dollars (\$19,000,000) for each state fiscal year beginning after June 30,**
2 **2022.**

3 SECTION 76. IC 6-6-13-15, AS AMENDED BY P.L.218-2017, SECTION 57, IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. The department shall transfer aviation fuel
5 excise taxes collected under this chapter to the treasurer of state for deposit **as follows:**

- 6 (1) Before July 1, 2017, in the state general fund. ~~and~~
7 (2) After June 30, 2017, **and before July 1, 2021**, as follows:
8 (A) Fifty percent (50%) in the state general fund.
9 (B) Fifty percent (50%) in the airport development grant fund established by IC 8-21-11-4.
10 **(3) After June 30, 2021, in the airport development grant fund established by IC 8-21-11-4.**

11 SECTION 77. IC 6-7-1-0.4, AS ADDED BY P.L.220-2011, SECTION 161, IS AMENDED TO READ
12 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 0.4. **(a)** Notwithstanding section 14 of this chapter,
13 revenue stamps paid for before July 1, 2007, and in the possession of a distributor may be used after June
14 30, 2007, only if the full amount of the tax imposed by section 12 of this chapter, as effective after June
15 30, 2007, and as amended by P.L.218-2007, is remitted to the department under the procedures prescribed
16 by the department.

17 **(b) Notwithstanding section 14 of this chapter, revenue stamps paid for before July 1, 2021, and**
18 **in possession of a distributor may be used after June 30, 2021, only if the full amount of the tax**
19 **imposed under section 12 of this chapter, as amended and effective after June 30, 2021, is remitted**
20 **to the department under the procedures prescribed by the department.**

21 SECTION 78. IC 6-7-1-12, AS AMENDED BY P.L.191-2016, SECTION 4, IS AMENDED TO
22 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 12. The following taxes are imposed, and shall
23 be collected and paid as provided in this chapter, upon the sale, exchange, bartering, furnishing, giving
24 away, or otherwise disposing of cigarettes within the state of Indiana:

- 25 (1) On cigarettes weighing not more than three (3) pounds per thousand (1,000), a tax at the rate of
26 four ~~and nine hundred seventy-five thousandths cents (\$0.04975)~~ **seven and five-tenths cents**
27 **(\$0.075)** per individual cigarette.
28 (2) On cigarettes weighing more than three (3) pounds per thousand (1,000), a tax at the rate of ~~six~~
29 ~~and six hundred twelve thousandths cents (\$0.06612)~~ **ten cents (\$0.10)** per individual cigarette,
30 except that if any cigarettes weighing more than three (3) pounds per thousand (1,000) shall be more
31 than six and one-half (6 1/2) inches in length, they shall be taxable at the rate provided in
32 subdivision (1), counting each two and three-fourths (2 3/4) inches (or fraction thereof) as a separate
33 cigarette.

34 SECTION 79. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015, SECTION 90, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 28.1. The taxes, registration fees, fines, or
36 penalties collected under this chapter shall be deposited in the following manner:

- 37 (1) ~~Four and twenty-two hundredths percent (4.22%)~~ **Three and eleven hundredths percent**
38 **(3.11%)** of the money shall be deposited in a fund to be known as the cigarette tax fund.
39 (2) ~~Six-tenths percent (0.6%)~~ **Forty-four hundredths percent (0.44%)** of the money shall be
40 deposited in a fund to be known as the mental health centers fund.
41 (3) The following amount of the money shall be deposited in the state general fund:
42 (A) After June 30, 2011, and before July 1, 2013, sixty and twenty-four hundredths percent
43 (60.24%).
44 (B) After June 30, 2013, **and before July 1, 2021**, fifty-six and twenty-four hundredths percent
45 (56.24%).
46 (C) **After June 30, 2021, forty-one and five-tenths percent (41.5%).**
47 (4) ~~Five and forty-three hundredths percent (5.43%)~~ **Four and one hundredths percent (4.01%)**



1 of the money shall be deposited into the pension relief fund established in IC 5-10.3-11.

2 (5) ~~Twenty-seven and five hundredths percent (27.05%)~~ **Nineteen and ninety-six hundredths**
3 **percent (19.96%)** of the money shall be deposited in the healthy Indiana plan trust fund established
4 by IC 12-15-44.2-17.

5 (6) ~~Two and forty-six hundredths percent (2.46%)~~ **Twenty-eight and three hundredths percent**
6 **(28.03%)** of the money shall be deposited in the state general fund for the purpose of paying
7 appropriations for Medicaid—Current Obligations, for provider reimbursements.

8 (7) The following amount of the money shall be deposited in the state retiree health benefit trust
9 fund established by IC 5-10-8-8.5 as follows:

10 (A) Before July 1, 2011, five and seventy-four hundredths percent (5.74%).

11 (B) After June 30, 2011, and before July 1, 2013, zero percent (0%).

12 (C) After June 30, 2013, **and before July 1, 2021**, four percent (4%).

13 **(D) After June 30, 2021, two and ninety-five hundredths percent (2.95%).**

14 The money in the cigarette tax fund, the mental health centers fund, the healthy Indiana plan trust fund,
15 or the pension relief fund at the end of a fiscal year does not revert to the state general fund. However,
16 if in any fiscal year, the amount allocated to a fund under subdivision (1) or (2) is less than the amount
17 received in fiscal year 1977, then that fund shall be credited with the difference between the amount
18 allocated and the amount received in fiscal year 1977, and the allocation for the fiscal year to the fund
19 under subdivision (3) shall be reduced by the amount of that difference. Money deposited under
20 subdivisions (6) through (7) may not be used for any purpose other than the purpose stated in the
21 subdivision.

22 SECTION 80. IC 6-7-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
23 AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

24 **Chapter 4. Electronic Cigarette Tax**

25 **Sec. 1. As used in this chapter, "consumable material" means any liquid solution or other**
26 **material that is depleted as a vapor product is used.**

27 **Sec. 2. As used in this chapter, "department" means the department of state revenue and**
28 **includes its employees and agents.**

29 **Sec. 3. As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5,**
30 **except that the term does not include taxes imposed under IC 6-2.5 or the excise tax imposed under**
31 **this chapter.**

32 **Sec. 4. As used in this chapter, "person" has the meaning set forth in IC 6-7-1-4.**

33 **Sec. 5. As used in this chapter, "retail dealer" means a person engaged in the selling of**
34 **consumable material, vapor products, or both to ultimate consumers.**

35 **Sec. 6. As used in this chapter, "vapor product" means either of the following:**

36 (1) A device, such as an electronic cigarette, that employs a mechanical heating element,
37 battery, or electronic circuit, regardless of shape or size, that can be used to produce vapor
38 from a consumable material that may or may not be sold with the device.

39 (2) Any vapor cartridge or other container of a consumable material in a solution or other
40 form that is intended to be used with or in a device described in subdivision (1).

41 **Sec. 7. (a) An excise tax, known as the electronic cigarette tax, is imposed on the retail sale of**
42 **consumable material and vapor products in Indiana.**

43 (b) The electronic cigarette tax equals ten percent (10%) of the gross retail income received by
44 the retail dealer for the sale.

45 (c) The person who acquires consumable material or vapor products in a retail transaction is
46 liable for the tax on the transaction, and, except as otherwise incorporated in this chapter, shall pay
47 the tax to the retail dealer as a separate added amount to the consideration in the transaction. A



1 retail dealer that either:
2 (1) has a physical presence in Indiana, as described in IC 6-2.5-2-1(c); or
3 (2) meets one (1) or both of the thresholds in IC 6-2.5-2-1(d);
4 shall collect and remit the tax as an agent for the state.
5 (d) If the tax is not collected by the retail dealer, the consumer is responsible to remit the tax to
6 the department. A retail dealer that is required to collect and remit tax under this chapter is jointly
7 and severally liable for uncollected tax absent proof of exemption or payment by the purchaser.
8 (e) Before the fifteenth day of each month, each retail dealer liable for the collection and
9 remittance of the tax imposed by this chapter shall:
10 (1) file a return with the department that includes all information required by the department
11 including, but not limited to:
12 (A) the name of the retail dealer;
13 (B) the address of the retail dealer; and
14 (C) the certificate number of the retail dealer's electronic cigarette retail dealer's
15 certificate; and
16 (2) pay the tax for which it is liable under this chapter for the preceding month.
17 All returns required to be filed and taxes required to be paid under this chapter must be made in
18 an electronic format prescribed by the department.
19 (f) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties,
20 definitions, exemptions, and administration apply to the imposition and administration of the tax
21 imposed under this section, except to the extent such provisions are in conflict or inconsistent with
22 the specific provisions of this chapter.
23 (g) A marketplace facilitator (as defined in IC 6-2.5-1-21.9) who is considered a retail merchant
24 under IC 6-2.5-4-18 for a transaction to which this chapter applies shall collect and remit electronic
25 cigarette taxes imposed on the retail transaction.
26 Sec. 8. (a) It is unlawful for any retail dealer to sell consumable material or vapor products in
27 Indiana unless the retail dealer has a valid electronic cigarette retail dealer's certificate issued by
28 the department.
29 (b) The department shall issue certificates to applicants that qualify under this section. A
30 certificate issued under this section is valid for one (1) year unless revoked or suspended by the
31 department and is not transferable. An electronic cigarette retail dealer's certificate may be
32 revoked or suspended by the department in the same manner, for the same reasons, and is subject
33 to the same procedures as for the revocation or suspension of a retail merchant's certificate under
34 IC 6-2.5-8-7.
35 (c) An applicant for a certificate under this section must submit proof to the department of the
36 appointment of an agent for service of process in Indiana if the applicant is:
37 (1) an individual whose principal place of residence is outside Indiana; or
38 (2) a person, other than an individual, that has its principal place of business outside Indiana.
39 (d) To obtain or renew a certificate under this section, a person must:
40 (1) submit, for each location where it intends to distribute consumable material or vapor
41 products, an application that includes all information required by the department;
42 (2) pay a fee of twenty-five dollars (\$25) at the time of application; and
43 (3) at the time of application, post a bond, issued by a surety company approved by the
44 department, in an amount not less than one thousand dollars (\$1,000) and conditioned on the
45 applicant's compliance with this chapter.
46 (e) If business is transacted at two (2) or more places by one (1) retail dealer, a separate
47 certificate must be obtained for each place of business.



1 (f) Each certificate must be numbered, show the name and address of the retail dealer, and be
2 posted in a conspicuous place at the place of business for which it is issued.

3 (g) If the department determines that a bond provided by a certificate is inadequate, the
4 department may require a new bond in the amount necessary to fully protect the state.

5 Sec. 9. A retail dealer that sells consumable material or vapor products in Indiana without
6 having obtained an electronic cigarette retail dealer's certificate, or after the retail dealer's
7 certificate has been revoked or suspended by the department, commits a Class A misdemeanor.

8 Sec. 10. An individual who:

9 (1) is an individual retail dealer or an employee, an officer, or a member of a corporate or
10 partnership retail dealer; and

11 (2) has a duty to remit electronic cigarette taxes to the department;

12 holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus
13 any penalties and interest attributable to those taxes, to the state. If the individual knowingly fails
14 to collect or remit those taxes to the state, the individual commits a Level 6 felony.

15 Sec. 11. All revenue from the tax imposed by this chapter must be deposited in the state general
16 fund.

17 Sec. 12. The department may adopt rules under IC 4-22-2 necessary to enforce this chapter,
18 including emergency rules under IC 4-22-2-37.1.

19 SECTION 81. IC 6-8.1-1-1, AS AMENDED BY P.L.156-2020, SECTION 29, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. "Listed taxes" or "taxes" includes only the
21 pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the supplemental wagering tax (IC 4-33-12); the
22 riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling
23 game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility
24 services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax
25 (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC
26 6-3.5-1.1) (repealed); the county option income tax (IC 6-3.5-6) (repealed); the county economic
27 development income tax (IC 6-3.5-7) (repealed); the local income tax (IC 6-3.6); the auto rental excise
28 tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax
29 (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal
30 agreement under IC 6-8.1-3; the vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13);
31 the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck
32 campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the heavy equipment
33 rental excise tax (IC 6-6-15); the vehicle sharing excise tax (IC 6-6-16); the cigarette tax (IC 6-7-1); **the**
34 **electronic cigarette tax (IC 6-7-4)**; the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3);
35 the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the petroleum severance tax (IC
36 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county
37 admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for
38 oversize vehicles (IC 9-20-3 and IC 9-20-18); the fees and penalties assessed for overweight vehicles (IC
39 9-20-4 and IC 9-20-18); and any other tax or fee that the department is required to collect or administer.

40 SECTION 82. IC 6-8.1-3-16, AS AMENDED BY P.L.234-2019, SECTION 29, IS AMENDED TO
41 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 16. (a) The department shall prepare a list of
42 all outstanding tax warrants for listed taxes each month. The list shall identify each taxpayer liable for a
43 warrant by name, address, amount of tax, and either Social Security number or employer identification
44 number. Unless the department renews the warrant, the department shall exclude from the list a warrant
45 issued more than ten (10) years before the date of the list. The department shall certify a copy of the list
46 to the bureau of motor vehicles.

47 (b) The department shall prescribe and furnish tax release forms for use by tax collecting officials. A



1 tax collecting official who collects taxes in satisfaction of an outstanding warrant shall issue to the
2 taxpayers named on the warrant a tax release stating that the tax has been paid. The department may also
3 issue a tax release:

4 (1) to a taxpayer who has made arrangements satisfactory to the department for the payment of the
5 tax; or
6 (2) by action of the commissioner under IC 6-8.1-8-2(k).

7 (c) The department may not issue or renew:

8 (1) a certificate under IC 6-2.5-8 or **IC 6-7-4**;
9 (2) a license under IC 6-6-1.1 or IC 6-6-2.5; or
10 (3) a permit under IC 6-6-4.1;

11 to a taxpayer whose name appears on the most recent monthly warrant list, unless that taxpayer pays the
12 tax, makes arrangements satisfactory to the department for the payment of the tax, or a release is issued
13 under IC 6-8.1-8-2(k).

14 (d) The bureau of motor vehicles shall, before issuing the title to a motor vehicle under IC 9-17,
15 determine whether the purchaser's or assignee's name is on the most recent monthly warrant list. If the
16 purchaser's or assignee's name is on the list, the bureau shall enter as a lien on the title the name of the
17 state as the lienholder unless the bureau has received notice from the commissioner under IC 6-8.1-8-2(k).
18 The tax lien on the title:

19 (1) is subordinate to a perfected security interest (as defined and perfected in accordance with
20 IC 26-1-9.1); and
21 (2) shall otherwise be treated in the same manner as other title liens.

22 (e) The commissioner is the custodian of all titles for which the state is the sole lienholder under this
23 section. Upon receipt of the title by the department, the commissioner shall notify the owner of the
24 department's receipt of the title.

25 (f) The department shall reimburse the bureau of motor vehicles for all costs incurred in carrying out
26 this section.

27 (g) Notwithstanding IC 6-8.1-8, a person who is authorized to collect taxes, interest, or penalties on
28 behalf of the department under IC 6-3 or IC 6-3.6 may not, except as provided in subsection (h) or (i),
29 receive a fee for collecting the taxes, interest, or penalties if:

30 (1) the taxpayer pays the taxes, interest, or penalties as consideration for the release of a lien placed
31 under subsection (d) on a motor vehicle title; or
32 (2) the taxpayer has been denied a certificate or license under subsection (c) within sixty (60) days
33 before the date the taxes, interest, or penalties are collected.

34 (h) In the case of a sheriff, subsection (g) does not apply if:

35 (1) the sheriff collects the taxes, interest, or penalties within sixty (60) days after the date the sheriff
36 receives the tax warrant; or
37 (2) the sheriff collects the taxes, interest, or penalties through the sale or redemption, in a court
38 proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

39 (i) In the case of a person other than a sheriff:

40 (1) subsection (g)(2) does not apply if the person collects the taxes, interests, or penalties within
41 sixty (60) days after the date the commissioner employs the person to make the collection; and
42 (2) subsection (g)(1) does not apply if the person collects the taxes, interest, or penalties through the
43 sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under
44 subsection (d).

45 (j) IC 5-14-3-4, IC 6-8.1-7-1, and any other law exempting information from disclosure by the
46 department do not apply to this subsection. The department shall prepare a list of retail merchants whose
47 registered retail merchant certificate has not been renewed under IC 6-2.5-8-1(h) or whose registered



1 retail merchant certificate has been revoked under IC 6-2.5-8-7 **or whose electronic cigarette retail**
2 **dealer's certificate has been revoked or suspended under IC 6-7-4-8.** The list compiled under this
3 subsection must identify each retail merchant by name (including any name under which the retail
4 merchant is doing business), address, and county. The department shall publish the list compiled under
5 this subsection on the department's Internet web site (as operated under IC 4-13.1-2) and make the list
6 available for public inspection and copying under IC 5-14-3. The department or an agent, employee, or
7 officer of the department is immune from liability for the publication of information under this subsection.

8 SECTION 83. IC 6-8.1-3-25, AS AMENDED BY P.L.10-2019, SECTION 42, IS AMENDED TO
9 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. Notwithstanding any other law, the
10 department shall deposit the amounts collected under a tax amnesty program carried out under section
11 17 of this chapter after June 30, 2015, as follows:

12 (1) County income tax collected under IC 6-3.5-1.1, IC 6-3.5-6, or IC 6-3.5-7 (all repealed January
13 1, 2017) shall be distributed to counties in the same manner as otherwise provided by the appropriate
14 chapter of the Indiana Code.

15 (2) Eight percent (8%) of inheritance tax collected for resident decedents shall be distributed to
16 counties in the manner provided under IC 6-4.1-9-6.

17 (3) County innkeeper's tax collected shall be deposited as required by IC 6-9.

18 (4) County and municipal food and beverage tax collected shall be deposited as required by IC 6-9.

19 (5) County admissions taxes collected shall be deposited as required by IC 6-9-13 and IC 6-9-28.

20 (6) Aircraft license excise tax collected shall be deposited as required by IC 6-6-6.5-21.

21 (7) Auto rental excise tax collected shall be deposited as required by IC 6-6-9-11.

22 (8) Supplemental auto rental excise tax shall be deposited as otherwise required by the appropriate
23 chapter of the Indiana Code.

24 (9) Financial institutions tax collected shall be deposited as required by IC 6-5.5-8-2.

25 (10) After making the deposits required under subdivisions (1) through (9), the first eighty-four
26 million dollars (\$84,000,000) collected must be deposited into the Indiana regional cities
27 development fund established by IC 5-28-38-2 **(before its repeal)**.

28 (11) After making the deposits required under subdivisions (1) through (10), the next six million
29 dollars (\$6,000,000) collected shall be transferred to the Indiana department of transportation to
30 reimburse the Indiana department of transportation for money expended by the Indiana department
31 of transportation under IC 8-23-2-18.5 (before its expiration) for the operation of the Hoosier State
32 Rail Line. However, the total amount transferred under this subdivision to the Indiana department
33 of transportation may not exceed the lesser of:

34 (A) six million dollars (\$6,000,000); or

35 (B) the total amount expended by the Indiana department of transportation under IC 8-23-2-18.5
36 (before its expiration) for the operation of the Hoosier State Rail Line after June 30, 2015, and
37 before July 1, 2017.

38 (12) After making the deposits required under subdivisions (1) through (11), the next forty-two
39 million dollars (\$42,000,000) collected must be deposited into the Indiana regional cities
40 development fund established by IC 5-28-38-2 **(before its repeal)**. The amount deposited under this
41 subdivision is appropriated to the Indiana economic development corporation for the purposes of
42 the Indiana regional cities development fund.

43 (13) After making the deposits required under subdivisions (1) through (12), the next twenty-nine
44 million eight hundred seventy thousand dollars (\$29,870,000) shall be transferred as follows:

45 (A) Eight million seven hundred thousand dollars (\$8,700,000) to the Indiana public retirement
46 system for credit to the Indiana public employees' retirement fund established by IC 5-10.3-2-1.

47 (B) Twenty million seven hundred thousand dollars (\$20,700,000) to the Indiana public



1 retirement system for credit to the pre-1996 account of the Indiana state teachers' retirement fund
2 established by IC 5-10.4-2-1.

3 (C) Seventy thousand dollars (\$70,000) to the Indiana public retirement system for credit to the
4 state excise police, gaming agent, gaming control officer, and conservation enforcement officers'
5 retirement plan established by IC 5-10-5.5-2.

6 (D) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund
7 under IC 10-12-1-11 for the state police pre-1987 benefit system.

8 (E) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund
9 under IC 10-12-1-11 for the state police 1987 benefit system.

10 The amounts transferred under this subdivision shall be used to pay costs that must be paid for any
11 thirteenth check payments or similar supplemental check payments that are enacted by the general
12 assembly and made to the members and beneficiaries of a public pension plan under HEA
13 1161-2016. The amounts transferred under this subdivision are appropriated for the purposes of this
14 subdivision.

15 (14) After making the deposits required under subdivisions (1) through (13), the next ten million
16 dollars (\$10,000,000) shall be deposited into the next generation Hoosier educators scholarship fund
17 established by IC 21-12-16-3.

18 (15) Any remaining amounts collected must be deposited into the state general fund.

19 SECTION 84. IC 7.1-4-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

20 Sec. 5. The department shall deposit:

21 (1) four cents (\$0.04) of the beer excise tax rate collected on each gallon of beer or flavored malt
22 beverage;

23 (2) one dollar (\$1) of the liquor excise tax rate collected on each gallon of liquor;

24 (3) ~~twenty cents (\$0.20)~~ **twenty-five cents (\$0.25)** of the wine excise tax rate collected on each
25 gallon of wine;

26 (4) the entire amount of malt excise tax collected; and

27 (5) the entire amount of hard cider excise tax collected;

28 daily with the treasurer of state and not later than the fifth day of the following month shall cover them
29 into the general fund of the state for distribution as provided in this chapter.

30 SECTION 85. IC 7.1-4-9-4, AS AMENDED BY P.L.224-2005, SECTION 26, IS AMENDED TO
31 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~Thirty-seven percent (37%)~~ **Twenty-two**
32 **percent (22%)** of the money in the excise fund shall be deposited in the state general fund on the first
33 day of June and the first day of December of each year.

34 SECTION 86. IC 7.1-4-9-7.5, AS ADDED BY P.L.224-2005, SECTION 28, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7.5. ~~Thirty percent (30%)~~ **Forty-five percent**
36 **(45%)** of the money in the excise fund shall be deposited in the enforcement and administration fund
37 under IC 7.1-4-10 on the first day of June and the first day of December of each year.

38 SECTION 87. IC 7.1-4-11-5 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 5: The department~~
39 ~~shall deposit in the wine grape market development fund created under IC 7.1-4-13 five cents (\$0.05) of~~
40 ~~the wine excise tax rate collected on each gallon of wine under IC 7.1-4-4.~~

41 SECTION 88. IC 8-15.5-1-2, AS AMENDED BY P.L.9-2020, SECTION 1, IS AMENDED TO READ
42 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete
43 authority for public-private agreements between the authority, a private entity, and, where applicable, a
44 governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice,
45 consent, approval, order, or act by the authority or any other officer, department, agency, or
46 instrumentality of the state or any political subdivision is required for the authority to enter into a
47 public-private agreement with a private entity under this article, or for a project that is the subject of a



1 public-private agreement to be constructed, acquired, maintained, repaired, operated, financed,
2 transferred, or conveyed.

3 (b) Before the authority or the department may issue a request for proposals for or enter into a
4 public-private agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** for
5 the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a
6 statute authorizing the imposition of ~~tolls~~ **user fees**. However, ~~during the period~~ beginning July 1, 2011,
7 ~~and ending June 30, 2021, and notwithstanding subsection (c)~~; the general assembly is not required to
8 enact a statute authorizing the authority or the department to issue a request for proposals or enter into
9 a public-private agreement to authorize an operator to impose ~~tolls~~ **user fees** for the operation of motor
10 vehicles on all or part of the following projects:

11 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate
12 Highway 69 other than a part described in subdivision (4).

13 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other
14 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or
15 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

16 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in
17 northwestern Indiana with an interstate highway in Illinois.

18 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and
19 that connects the state of Indiana with the commonwealth of Kentucky.

20 However, neither the authority nor the department may issue a request for proposals for a public-private
21 agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** unless the budget
22 committee has reviewed the request for proposals.

23 (c) **Before Except as provided in subsection (b), before** the authority or an operator may carry out
24 any of the following activities under this article, the general assembly must enact a statute authorizing that
25 activity:

26 (1) Imposing ~~tolls~~ **user fees** on motor vehicles for use of Interstate Highway 69.

27 (2) Imposing ~~tolls~~ **user fees** on motor vehicles for use of a nontolled highway, roadway, or other
28 facility in existence or under construction on July 1, 2011, including nontolled interstate highways,
29 U.S. routes, and state routes.

30 (d) The general assembly is not required to enact a statute authorizing the authority or the department
31 to issue a request for proposals or enter into a public-private agreement for a freeway project.

32 (e) The authority may enter into a public-private agreement for a facility project if the general
33 assembly, by statute, authorizes the authority to enter into a public-private agreement for the facility
34 project.

35 (f) As permitted by subsection (e), the general assembly authorizes the authority to enter into
36 public-private agreements for a state park inn and related improvements in an existing state park located
37 in a county with a population of more than two hundred thousand (200,000) and less than three hundred
38 thousand (300,000).

39 SECTION 89. IC 8-15.5-6-3, AS AMENDED BY P.L.205-2013, SECTION 158, IS AMENDED TO
40 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The operator or any contractor or
41 subcontractor of the operator engaged in the construction of a project is subject to:

42 (1) the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and
43 women's business enterprises to participate in procurement and contracting processes **or as required**
44 **by federal law**; and

45 (2) the provisions that may be established by the authority in a public-private agreement with respect
46 to awarding contracts to Indiana businesses (as defined in IC 5-22-15-20.5).

47 SECTION 90. IC 8-15.7-1-5, AS AMENDED BY P.L.94-2015, SECTION 4, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and
2 complete authority for agreements and leases with private entities to carry out the activities described in
3 this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent,
4 approval, order, or act by the authority, the department, or any other state or local agency or official is
5 required **for the department** to enter into ~~an a public-private agreement or lease; with a private entity~~
6 **under this article for a project to be constructed, maintained, repaired, or operated**, and no law to
7 the contrary affects, limits, or diminishes the authority for agreements and leases with private entities,
8 except as provided by this article. However, this article may not be construed to:
9 (1) limit the power of the authority, the department, or a private entity to enter an agreement; or
10 (2) impose any procedural or substantive requirements on the authority, the department, or a private
11 entity;
12 concerning a project (as defined by IC 8-15.5-2-7) carried out under IC 8-15.5.
13 (b) Notwithstanding any other law, **and except as provided in subsection (d)**, before the department,
14 the authority, or an operator may ~~carry out any of the following activities under this article; the general~~
15 ~~assembly must enact a statute authorizing that activity: enter into public-private agreements that~~
16 **impose user fees on motor vehicles for use of:**
17 (1) ~~Subject to subsection (d), and after June 30, 2011, issuing a request for proposals for, or entering~~
18 ~~into, a public-private agreement concerning a project.~~
19 (2) ~~Imposing user fees on motor vehicles for use of Interstate Highway 69.~~
20 (1) **Interstate Highway 69; or**
21 (2) **nontolled highways, roadways, or other facilities in existence or under construction on July**
22 **1, 2011, including nontolled interstate highways, U.S. routes, and state routes;**
23 **the general assembly must enact a statute authorizing that activity.**
24 (c) Notwithstanding ~~subsection (b)~~ or any other law, the department or the authority may enter into a
25 public-private agreement concerning a project consisting of a passenger or freight railroad system
26 described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the
27 general assembly. However, this subsection does not prohibit the department from:
28 (1) conducting preliminary studies that the department considers necessary to determine the
29 feasibility of such a project; or
30 (2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such
31 a project.
32 (d) ~~Notwithstanding subsection (b), during the period Beginning July 1, 2011, and ending June 30,~~
33 ~~2021,~~ the general assembly is not required to enact a statute authorizing the department, the authority, or
34 an operator to issue a request for proposals for, or enter into, a public-private agreement **that imposes**
35 **user fees for the operation of motor vehicles** for the following projects:
36 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate
37 Highway 69 other than a part described in subdivision (4).
38 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other
39 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or
40 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.
41 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in
42 northwestern Indiana with an interstate highway in Illinois.
43 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and
44 that connects the state of Indiana with the commonwealth of Kentucky.
45 (e) **The following apply:**
46 (1) **The authority shall be a party to any public-private agreement entered into pursuant to**
47 **this article that requires payments to be made to an operator after the operator receives final**



1 **payment for construction.**

2 **(2) The authority may issue bonds or refunding bonds under IC 5-1.2-4 to provide funds for**
3 **any amounts identified under this article but is not required to comply with IC 8-9.5-8-10.**

4 SECTION 91. IC 8-23-3-8, AS AMENDED BY P.L.153-2014, SECTION 16, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The public mass transportation fund is
6 established for the purpose of promoting and developing public mass transportation in Indiana. The fund
7 shall be administered by the department.

8 (b) The treasurer of state may invest the money in the fund in the same manner as other public funds
9 may be invested.

10 (c) Money in the fund at the end of a fiscal year does not revert to the state general fund.

11 (d) This subsection applies to a calendar year beginning after December 31 of a calendar year in which
12 an eligible county (as defined by IC 8-25-1-4) begins to carry out a public transportation project approved
13 under IC 8-25. The distribution formula established by the department is subject to ~~annual review by the~~
14 ~~budget committee and~~ approval by the budget director to ensure that a public mass transportation system
15 located in a county other than an eligible county is not adversely affected by a public transportation
16 project carried out under IC 8-25.

17 SECTION 92. IC 8-23-7-22, AS AMENDED BY P.L.94-2015, SECTION 5, IS AMENDED TO
18 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the
19 department may, after issuing an order and receiving the governor's approval, determine that a state
20 highway should become a tollway. After the order becomes effective, the department shall maintain and
21 operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private
22 agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this
23 section, the department shall submit to the governor a plan to bring the tollway to the current design
24 standards of the department for new state highways within a specified period. The specified period may
25 not exceed five (5) years.

26 (b) Before the governor, the department, or an operator may carry out any of the following activities
27 under this section, the general assembly must enact a statute authorizing that activity:

28 (1) Determine that a highway that is in existence or under construction on July 1, 2011, should
29 become a tollway.

30 (2) Impose tolls on motor vehicles for use of Interstate Highway 69.

31 (c) Notwithstanding subsection (b), ~~during the period~~ beginning July 1, 2011, ~~and ending June 30,~~
32 ~~2021,~~ the general assembly is not required to enact a statute authorizing the governor, the department, or
33 an operator to determine that all or part of the following projects should become a tollway:

34 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate
35 Highway 69 other than a part described in subdivision (4).

36 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other
37 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or
38 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

39 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in
40 northwestern Indiana with an interstate highway in Illinois.

41 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and
42 that connects the state of Indiana with the commonwealth of Kentucky.

43 SECTION 93. IC 12-15-1.3-18, AS ADDED BY P.L.217-2017, SECTION 78, IS AMENDED TO
44 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 18. (a) The definitions set forth in 460 IAC 6-3
45 as of ~~January 1, 2017;~~ **January 1, 2021**, apply to the terms that are used in this section.

46 (b) **As used in this section, "benefits" means allowances and services provided by employers to**
47 **employees as compensation that is in addition to salary and wages.**



1 ~~(b)~~ **(c)** The office of the secretary shall increase the reimbursement rate for services if the services are
2 provided as follows:

3 (1) The services are provided to an individual who receives services under a Medicaid waiver under
4 the federal home and community based services program.

5 (2) The individual is authorized under the Medicaid waiver described in subdivision (1) to receive
6 any of the following services:

7 (A) Adult day services.
8 (B) Prevocational services.
9 (C) Residential habilitation and support.
10 (D) Respite.
11 (E) ~~Supported employment and~~ Extended services as defined in the family supports Medicaid
12 waiver **and the community integration habilitation Medicaid waiver.**
13 (F) ~~Community habilitation and participation services:~~ **Day rehabilitation, as defined in the**
14 **family supports Medicaid waiver and the community integration habilitation Medicaid**
15 **waiver.**
16 (G) Workplace assistance, as defined in the family supports Medicaid waiver and the community
17 integration habilitation Medicaid waiver.
18 ~~(H) Facility habilitation:~~
19 ~~(H)~~ **(H)** Residential habilitation and support (RHS daily).
20 ~~(I)~~ **(I)** Transportation services.
21 ~~(K)~~ **(J)** Participant assistance and care, as defined in the family supports Medicaid waiver.
22 ~~(L)~~ **(K)** Facility based support, as defined in the family supports Medicaid waiver and the
23 community integration habilitation Medicaid waiver.

24 (3) The services are delivered to the individual by a direct care staff.

25 ~~(c)~~ **(d)** The amount of the increase in the reimbursement rate described in subsection ~~(b)~~ **(c)** for a state
26 fiscal year beginning July 1, ~~2017~~, **2021**, or thereafter is the reimbursement rate in effect as of June 30,
27 ~~2017~~, **2019**, for the services listed in subsection ~~(b)(2)~~ **(c)(2)** multiplied by ~~five percent (5%)~~ **seven**
28 **percent (7%)**.

29 ~~(d)~~ **(e)** An authorized service provider shall use at least ~~seventy-five percent (75%)~~ **eighty-five percent**
30 **(85%)** of the amount of the increase in the reimbursement rate to **pay payroll tax liabilities and to**
31 **increase the wages and benefits** paid to direct care staff who:

32 (1) are employed by the authorized service provider to provide services in Indiana; ~~and~~
33 (2) provide support services listed in subsection ~~(b)(2)~~ **(c)(2)**; ~~and~~
34 **(3) are paid on an hourly basis.**

35 ~~(e)~~ **(f)** If a provider does not use at least ~~seventy-five percent (75%)~~ **eighty-five percent (85%)** of the
36 increase to **pay payroll tax liabilities and to** increase wages **and benefits** paid to direct care staff, the
37 office shall recoup part or all of the increase in the reimbursement rate that the provider receives as
38 provided in subsection ~~(g)~~ **(h)**.

39 ~~(f)~~ **(g)** An authorized service provider providing services in Indiana shall provide written and
40 electronic notification of its plan to **pay payroll tax liabilities and to** increase wages **and benefits** to:

41 (1) direct care staff **described in subsection (e) who are** employed by the provider; and
42 (2) the office of the secretary;
43 within thirty (30) days after the office implements an increase in reimbursement rates.

44 ~~(g)~~ **(h)** The office may recoup the difference between ~~seventy-five percent (75%)~~ **eighty-five percent**
45 **(85%)** of the amount received by a provider as a result of increased reimbursement rates and the amount
46 of the increase that is actually used by the provider to **pay payroll tax liabilities and to** pay an increase
47 in wages **and benefits** to direct care staff. The remaining ~~twenty-five percent (25%)~~ **fifteen percent**



1 (15%) may be retained by the provider to cover the other employer related costs of providing direct care
2 services; including payroll taxes, benefits, and paid time for nondirect services such as paid time off and
3 training; **administrative and overhead costs.**

4 ~~(h)~~ (i) Providers shall maintain all books, documents, papers, accounting records, and other evidence
5 required to support the reporting of payroll information for **payment of payroll tax liabilities and for**
6 **increased wages and benefits** to direct care staff. Wages are defined as total compensation, **including**
7 **paid time off and training**, less overtime and shift differential for direct care staff providing services to
8 individuals receiving the services described in subsection ~~(b)(2)~~ **(c)(2)** as reported on the provider's
9 payroll records. Providers shall make these materials available at their respective offices at all reasonable
10 times and for three (3) years from the date of final payment for the services listed in subsection ~~(b)(2)~~
11 **(c)(2)** for inspection by the state or its authorized designees. Providers shall furnish copies at no cost to
12 the state if requested.

13 ~~(i)~~ (j) The office or its designee may recoup all or a part of the amount paid using the increased
14 reimbursement rates based upon an audit or review of the supporting documentation required to be
15 maintained under subsection ~~(h)~~ (i) if the provider cannot provide adequate documentation to support the
16 **payment of payroll tax liabilities and the payment of increased wages and benefits** to direct care staff.

17 ~~(j)~~ (k) If required, the office shall file Medicaid waiver amendments for the family supports Medicaid
18 waiver and the community integration and habilitation Medicaid waiver related to rate increases and
19 Medicaid waiver caps only on or before ~~September 30, 2017~~, **October 1, 2021**, with the earliest possible
20 effective date allowed by the federal Centers for Medicare and Medicaid Services. If the federal Centers
21 for Medicare and Medicaid Services ~~deny~~ **denies** the Medicaid waiver amendments, the office may
22 modify the waiver amendment request. If a waiver amendment is not approved, rate increases may not
23 be granted under this section.

24 ~~(k)~~ (l) This section may not be construed as creating an employment relationship of any kind between
25 office staff and direct care staff of an authorized service provider.

26 SECTION 94. IC 12-15-14-8, AS ADDED BY P.L.224-2017, SECTION 4, IS AMENDED TO READ
27 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. ~~(a) The office shall use the RUG-IV, 48-Group~~
28 ~~model for payment of nursing facility services.~~

29 ~~(b)~~ (a) Beginning July 1, 2018, the office may implement an end of therapy reclassification
30 methodology in the RUG-IV, 48-Group model for payment of nursing facility services.

31 ~~(c)~~ (b) Before the office changes a health facility service reimbursement that results in a reduction in
32 reimbursement, the office shall provide public notice of at least one (1) year. The public notice under this
33 subsection:

34 (1) is not a rulemaking action or part of the administrative rulemaking process under IC 4-22; and

35 (2) must include the fiscal impact of the proposed reimbursement change.

36 SECTION 95. IC 12-16-17-1, AS ADDED BY P.L.146-2008, SECTION 391, IS AMENDED TO
37 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The office of the secretary of family and
38 social services shall annually transfer ~~forty million dollars (\$40,000,000)~~ **thirty-two million three**
39 **hundred thousand dollars (\$32,300,000)** to a hospital corporation established under IC 16-22-8 from
40 the state general fund for the purposes of the hospital corporation.

41 SECTION 96. IC 12-17.2-7.2-11, AS AMENDED BY P.L.184-2017, SECTION 28, IS AMENDED
42 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11. Except as provided under
43 ~~IC 20-51-1-4.3(3)(E)~~, **IC 20-51-1-4.3(4)(E)**, the receipt of a grant under the pilot program does not
44 qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under
45 IC 20-51-4.

46 SECTION 97. IC 16-21-10-21, AS AMENDED BY P.L.108-2019, SECTION 203, IS AMENDED TO
47 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. This chapter expires June 30, ~~2021~~.



1 **2023.**

2 SECTION 98. IC 16-28-15-14, AS AMENDED BY P.L.108-2019, SECTION 204, IS AMENDED TO
3 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. This chapter expires June 30, ~~2021~~.

4 **2023.**

5 SECTION 99. IC 20-20-12-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ
6 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The department shall administer the advanced
7 placement program established by ~~IC 20-36-3-4(a)~~; **IC 20-36-3-4.**

8 SECTION 100. IC 20-24-7-13, AS AMENDED BY P.L.159-2019, SECTION 10, IS AMENDED TO
9 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13. (a) After June 30, 2019, a virtual charter
10 school may only apply for authorization with any statewide authorizer in accordance with the authorizer's
11 guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew
12 a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and
13 IC 20-24-1-2.5(3) is not considered a statewide authorizer.

14 (b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the
15 state in an amount equal to:

16 (1) the quotient of:

17 (A) the school's basic tuition support determined under ~~IC 20-43-6-3(e)~~; **IC 20-43-6-3**; divided
18 by

19 (B) twelve (12); plus

20 (2) the total of any:

21 (A) special education grants under IC 20-43-7;

22 (B) career and technical education grants under IC 20-43-8; and

23 (C) honor grants under IC 20-43-10;

24 to which the virtual charter school is entitled for the month.

25 For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be
26 calculated in the same manner as special education grants are calculated for other school corporations.

27 (c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

28 (d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual
29 charter schools authorized by the authorizer that include the following:

30 (1) Minimum requirements for the mandatory annual onboarding process and orientation required
31 under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide
32 to a parent of a student:

33 (A) the student engagement and attendance requirements or policies of the virtual charter school;
34 and

35 (B) notice that a person who knowingly or intentionally deprives a dependent of education
36 commits a violation under IC 35-46-1-4.

37 (2) Requirements relating to tracking and monitoring student participation and attendance.

38 (3) Ongoing student engagement and counseling policy requirements.

39 (4) Employee policy requirements, including professional development requirements.

40 (e) The department, with the approval of the state board, shall before December 1 of each year submit
41 an annual report to the budget committee concerning the program under this section.

42 (f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter
43 schools under this section for the first time must have been included in the state's fall count of ADM
44 conducted in the previous school year.

45 (g) Each virtual charter school shall report annually to the department concerning the following, on
46 a schedule determined by the department:

47 (1) Classroom size.



- 1 (2) The ratio of teachers per classroom.
2 (3) The number of student-teacher meetings conducted in person or by video conference.
3 (4) Any other information determined by the department.

4 The department shall provide this information annually to the state board and the legislative council in
5 an electronic format under IC 5-14-6.

6 (h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to
7 participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter
8 school. The policies adopted by the virtual charter school must ensure that:

- 9 (1) adequate notice of the withdrawal is provided to the parent and the student; and
10 (2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for
11 the student or the parent to demonstrate that failure to participate in the course is due to an event that
12 would be considered an excused absence under IC 20-33-2.

13 (i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the
14 school's student engagement policy may not reenroll in that same virtual charter school for the school year
15 in which the student is withdrawn.

16 (j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the
17 authorizer complies with the requirements described in subsections (h) and (i).

18 SECTION 101. IC 20-24-7-13.5, AS AMENDED BY P.L.108-2019, SECTION 210, IS AMENDED
19 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13.5. (a) This section applies to the
20 following charter schools:

- 21 (1) The Excel Centers for Adult Learners.
22 (2) The Christel House DORS centers.
23 (3) The Gary Middle College charter schools.

24 (b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a)
25 is entitled to receive funding from the state in an amount equal to the product of:

- 26 (1) the charter school's number of students who are Indiana residents (expressed as full-time
27 equivalents); multiplied by
28 (2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.

29 (c) However, in the case of the charter school described in subsection (a)(3), the funding under this
30 section applies only for those students who are twenty-two (22) years of age and older. In addition, the
31 total number of students (expressed as full-time equivalents) of all adult learners in charter schools
32 covered by this section may not exceed the following:

33 ~~(1) For the 2018-2019 state fiscal year:~~

- 34 ~~(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.~~
35 ~~(B) For the Gary Middle College charter schools, two hundred (200) adult learner students.~~
36 ~~(C) For the Excel Centers for Adult Learners, four thousand seven hundred (4,700) adult learner~~
37 ~~students.~~

38 ~~(2) (1) For the 2019-2020 2021-2022 state fiscal year:~~

- 39 ~~(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.~~
40 ~~(B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.~~
41 ~~(C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner~~
42 ~~students.~~

43 ~~(3) (2) For the 2020-2021 2022-2023 state fiscal year:~~

- 44 ~~(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.~~
45 ~~(B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.~~
46 ~~(C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner~~
47 ~~students.~~



1 (d) A charter school described in subsection (a) is entitled to receive federal special education funding.

2 (e) The state funding under this section shall be paid each state fiscal year under a schedule set by the
3 budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12)
4 payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the
5 payments in each state fiscal year shall equal the amount required under this section. However, if the
6 appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced
7 proportionately.

8 (f) A charter school that receives funding as provided in this section must report the following
9 information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative
10 council, on a schedule specified by the state board:

11 (1) The number of adult learners enrolled in the charter school during the preceding year.

12 (2) The demographics of the adult learners enrolled in the charter school during the preceding year
13 (in a format requested by the state board).

14 (3) The graduation rates of the adult learners enrolled in the charter school during the preceding
15 year.

16 (4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2)
17 years after graduation. A charter school must include information concerning students' job placement
18 outcomes, information concerning students' matriculation into higher education, and any other
19 information concerning outcomes required by the state board.

20 (g) This section expires June 30, ~~2021~~; **2023**.

21 SECTION 102. IC 20-24-13-6, AS AMENDED BY P.L.108-2019, SECTION 211, IS AMENDED TO
22 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. The annual grant amount for a school for
23 a state fiscal year is **the following**:

24 (1) **For the state fiscal year beginning July 1, 2021:**

25 (A) ~~seven hundred fifty dollars (\$750)~~; **one thousand dollars (\$1,000)**; multiplied by
26 (2) (B) the number of eligible pupils who are counted in the current ADM of the school.

27 (2) **For the state fiscal year beginning July 1, 2022, and each state fiscal year thereafter:**

28 (A) **one thousand two hundred fifty dollars (\$1,250)**; multiplied by

29 (B) **the number of eligible pupils who are counted in the current ADM of the school.**

30 SECTION 103. IC 20-25.7-5-2, AS AMENDED BY P.L.156-2020, SECTION 75, IS AMENDED TO
31 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 2. (a) The board may enter into an agreement
32 with an organizer to reconstitute an eligible school as a participating innovation network charter school
33 or to establish a participating innovation network charter school at a location selected by the board within
34 the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network
35 charter school may be established within a vacant school building.

36 (b) The terms of the agreement entered into between the board and an organizer must specify the
37 following:

38 (1) A statement that the organizer authorizes the department to include the charter school's
39 performance assessment results under IC 20-31-8 when calculating the school corporation's
40 performance assessment under rules adopted by the state board.

41 (2) The amount of state funding, including tuition support (if the participating innovation network
42 charter school is treated in the same manner as a school operated by the school corporation under
43 subsection (d)(2)), and money levied as property taxes that will be distributed by the school
44 corporation to the organizer.

45 (3) The performance goals and accountability metrics agreed upon for the charter school in the
46 charter agreement between the organizer and the authorizer.

47 (c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the



1 board shall notify the department that the agreement has been made under this section within thirty (30)
2 days after the agreement is entered into.

3 (d) Upon receipt of the notification under subsection (c), for school years starting after the date of the
4 agreement:

5 (1) the department shall include the participating innovation network charter school's performance
6 assessment results under IC 20-31-8 when calculating the school corporation's performance
7 assessment under rules adopted by the state board;

8 (2) the department shall treat the participating innovation network charter school in the same manner
9 as a school operated by the school corporation when calculating the total amount of state funding
10 to be distributed to the school corporation unless subsection (e) applies; and

11 (3) if requested by a participating innovation network charter school that reconstitutes an eligible
12 school, the department may use student growth as the state board's exclusive means to determine the
13 innovation network charter school's category or designation of school improvement under 511
14 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the
15 department may not use student growth as the state board's exclusive means to determine an
16 innovation network charter school's category or designation of school improvement. This subdivision
17 expires July 1, 2023.

18 (e) If a participating innovation network school was established before January 1, 2016, and for the
19 current school year has a complexity index that is greater than the complexity index for the school
20 corporation that the innovation network school has contracted with, the innovation network school shall
21 be treated as a charter school for purposes of determining tuition support. This subsection expires June
22 30, ~~2021~~. **2023**.

23 SECTION 104. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
24 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 40. (a) Not later than April 15 each year,**
25 **each school corporation and charter school shall report to the department the number of students**
26 **who met the following conditions in the preceding school year:**

27 (1) **The student was enrolled in the school corporation on the day in September fixed by the**
28 **state board for the fall count of students under IC 20-43-4-3.**

29 (2) **The student successfully completed Indiana high school graduation requirements during**
30 **the student's expected graduation year (as defined in IC 20-26-13-4) before the day in**
31 **February fixed by the state board for the spring count of students under IC 20-43-4-3.**

32 (3) **The student was not enrolled in the school corporation on the day in February fixed by the**
33 **state board for the spring count of students under IC 20-43-4-3.**

34 (b) **In addition to the number provided under subsection (a), each school corporation and charter**
35 **school shall submit information prescribed by the department that is necessary to verify the**
36 **number reported under subsection (a).**

37 SECTION 105. IC 20-36-3-4, AS ADDED BY P.L.1-2005, SECTION 20, IS AMENDED TO READ
38 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 4. (a)** The advanced placement program is established
39 to encourage students to pursue advanced courses, particularly in math and science. The program shall
40 be administered by the department.

41 (b) ~~Unexpended money appropriated to the department to implement the program at the end of a state~~
42 ~~fiscal year does not revert to the state general fund.~~

43 SECTION 106. IC 20-43-1-1, AS AMENDED BY P.L.108-2019, SECTION 214, IS AMENDED TO
44 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: **Sec. 1.** This article expires June 30, ~~2021~~. **2023**.

45 SECTION 107. IC 20-43-1-15.5 IS REPEALED [EFFECTIVE JUNE 29, 2021]. ~~Sec. 15.5: This section~~
46 ~~applies after June 30, 2018: "Less than moderate value program" means a career and technical education~~
47 ~~program that the department of workforce development recognizes as:~~



- 1 (1) having a low employment demand and a low average wage level;
- 2 (2) having a moderate employment demand and a low average wage level; or
- 3 (3) having a low employment demand and a moderate average wage level.

4 SECTION 108. IC 20-43-2-1, AS AMENDED BY P.L.205-2013, SECTION 268, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **Except as provided in IC 20-51.4-4-2**, the
6 department shall distribute the amount appropriated by the general assembly for distribution as state
7 tuition support in accordance with this article. If the appropriations for distribution as state tuition support
8 are more than required under this article, any excess shall revert to the state general fund. The
9 appropriations for state tuition support shall be made each state fiscal year under a schedule set by the
10 budget agency and approved by the governor. However, the schedule must provide:

- 11 (1) for at least twelve (12) payments;
- 12 (2) that one (1) payment shall be made at least every forty (40) days; and
- 13 (3) the total of the payments in each state fiscal year must equal the amount required under this
14 article.

15 SECTION 109. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. In determining the total amount to be
17 distributed for purposes of section 2 of this chapter, distributions:

- 18 (1) as basic tuition support;
- 19 (2) for honors designation awards;
- 20 (3) for special education grants;
- 21 (4) for career and technical education grants;
- 22 (5) for choice scholarships; ~~and~~
- 23 (6) for Mitch Daniels early graduation scholarships; **and**
- 24 (7) **for Indiana education scholarship account grants;**

25 are to be considered for a particular state fiscal year.

26 SECTION 110. IC 20-43-3-8, AS AMENDED BY P.L.108-2019, SECTION 221, IS AMENDED TO
27 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 8. A school corporation's foundation amount
28 is the following:

- 29 ~~(1) Five thousand five hundred forty-eight dollars (\$5,548) for the state fiscal year beginning July~~
30 ~~1, 2019.~~
- 31 ~~(2) Five thousand seven hundred three dollars (\$5,703) for the state fiscal year beginning July 1,~~
32 ~~2020.~~
- 33 **(1) Five thousand seven hundred seventy-one dollars (\$5,771) for the state fiscal year**
34 **beginning July 1, 2021.**
- 35 **(2) Five thousand nine hundred thirteen dollars (\$5,913) for the state fiscal year beginning July**
36 **1, 2022.**

37 SECTION 111. IC 20-43-4-2, AS AMENDED BY P.L.217-2017, SECTION 121, IS AMENDED TO
38 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A school corporation's ADM is the
39 number of eligible pupils enrolled in:

- 40 (1) the school corporation; or
- 41 (2) a transferee corporation;

42 on the day fixed in September by the state board for a count of students under section 3 of this chapter
43 and as subsequently adjusted not later than the date specified under the rules adopted by the state board.
44 The state board may adjust the school's count of eligible pupils if the state board determines that the count
45 is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition
46 the state board to make an adjusted count of students enrolled in the school corporation if the corporation
47 has reason to believe that the count is unrepresentative of the school corporation's enrollment. In addition,



1 a school corporation shall determine the number of eligible pupils enrolled in:
2 (1) the school corporation; or
3 (2) a transferee corporation;
4 on the day fixed in February by the state board for a spring count of students ~~to be used only for~~
5 ~~informational purposes under this article.~~ **under section 3 of this chapter and as subsequently adjusted**
6 **under this chapter or under rules adopted by the state board. The department shall adjust a school**
7 **corporation's February count of students as provided in section 3.5 of this chapter. Except as**
8 **specifically provided by law, the spring count shall not be used for determining school funding under this**
9 **article.**

10 (b) Each school corporation shall, before April 1 of each year, provide to the department an estimate
11 of the school corporation's ADM that will result from the count of eligible pupils in the following
12 September. The department may update and adjust the estimate as determined appropriate by the
13 department. In each odd-numbered year, the department shall provide the updated and adjusted estimate
14 of the school corporation's ADM to the legislative services agency before April 10 of that year.

15 (c) A new charter school shall submit an enrollment estimate to the department before April 1 of the
16 year the new charter school will be open for enrollment. The department shall use the new charter school's
17 enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual
18 ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment
19 estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the
20 department may use that enrollment estimate if the department has requested and reviewed other
21 enrollment data that support that enrollment estimate. However, if the enrollment data requested and
22 reviewed by the department does not support the enrollment estimate submitted by the new charter school,
23 the department shall determine the estimated ADM based on the enrollment data requested and reviewed
24 by the department. In each odd-numbered year, the department shall provide the new charter school's
25 estimated ADM to the legislative services agency before April 10 of that year.

26 SECTION 112. IC 20-43-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.5. (a) Beginning with the February count**
28 **of students made in 2022, the department shall adjust the February count of a school corporation's**
29 **ADM (as otherwise adjusted under this chapter) by adding to each count the number of students**
30 **who met the following conditions in the preceding school year:**

31 (1) The student was enrolled in the school corporation on the day in September fixed by the
32 state board for the fall count of students under section 3 of this chapter.

33 (2) The student successfully completed Indiana high school graduation requirements during
34 the student's expected graduation year (as defined in IC 20-26-13-4) before the day in
35 February fixed by the state board for the spring count of students under section 3 of this
36 chapter.

37 (3) The student was not enrolled in the school corporation on the day in February fixed by the
38 state board for the spring count of students under section 3 of this chapter.

39 (b) **If a February count of students is adjusted retroactively under this section, the adjusted**
40 **count retroactively applies to the amount of state tuition support distributed to a school corporation**
41 **affected by the adjusted count, as provided in section 9 of this chapter.**

42 SECTION 113. IC 20-43-4-9, AS AMENDED BY P.L.108-2019, SECTION 224, IS AMENDED TO
43 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) Subject to subsections (b) and (c), this
44 subsection applies to the calculation of state tuition support distributions that are based on the current
45 ADM of a school corporation. The fall count of ADM, as adjusted by the state board under section 2 of
46 this chapter, shall be used to compute state tuition support distributions made in the first six (6) months
47 of the current state fiscal year. ~~and~~ The spring count of ADM, as adjusted by:



1 (1) the state board under section 2 of this chapter; and
2 (2) the department under section 3.5 of this chapter;
3 shall be used to compute state tuition support distributions made in the second six (6) months of the state
4 fiscal year.

5 (b) This subsection applies to a school corporation that does not provide the estimates required by
6 section 2(b) of this chapter before the deadline. For monthly state tuition support distributions made
7 before the count of ADM is finalized, the department shall determine the distribution amount for such a
8 school corporation for a state fiscal year of the biennium, using data that were used by the general
9 assembly in determining the state tuition support appropriation for the budget act for that state fiscal year.
10 The department may adjust the data used under this subsection for errors.

11 (c) If the:

12 (1) state board; or

13 (2) department, under section 3.5 of this chapter;

14 adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively
15 applies to the amount of state tuition support distributed to a school corporation affected by the adjusted
16 count. The department shall settle any overpayment or underpayment of state tuition support resulting
17 from an adjusted count of ADM on the schedule determined by the department and approved by the
18 budget agency.

19 SECTION 114. IC 20-43-6-3, AS AMENDED BY P.L.108-2019, SECTION 225, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3. (a) A school corporation's basic tuition
21 support for a state fiscal year is the amount determined under the applicable provision of this section.

22 (b) This subsection applies to a school corporation that does not have any students in the school
23 corporation's current ADM for the year for whom; of the instructional services that the students receive
24 from the school corporation; at least fifty percent (50%) is virtual instruction. The school corporation's
25 basic tuition support for a state fiscal year is equal to the result using the following formula:

26 STEP ONE: Multiply the foundation amount by the school corporation's current ADM.

27 STEP TWO: Multiply the school corporation's complexity index by

28 (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars
29 (\$3,650); and

30 (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five
31 dollars (\$3,675).

32 STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

33 STEP FOUR: This STEP applies only to a school corporation that has at least eighteen percent
34 (18%) of its ADM eligible for the English language learners program and that experienced a
35 percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index
36 for the school year ending in 2017 compared to the school corporation's complexity index for the
37 current school year. For such a school corporation determine the result of:

38 (A) the school corporation's current ADM; multiplied by

39 (B) one hundred twenty-eight dollars (\$128);

40 STEP FIVE: FOUR: Determine the result of:

41 (A) the STEP ONE amount; plus

42 (B) the STEP THREE amount. plus

43 (C) the STEP FOUR amount, if applicable.

44 (c) This subsection applies to a school corporation that has students in the school corporation's current
45 ADM for the year for whom; of the instructional services that the students receive from the school
46 corporation; at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition
47 support for a state fiscal year is equal to the result using the following formula:



1 STEP ONE: Determine the total number of students in the school corporation's current ADM for the
2 year for whom, of the instructional services that the students receive from the school corporation,
3 at least fifty percent (50%) is virtual instruction.

4 STEP TWO: Determine the result of the school corporation's current ADM for the year minus the
5 STEP ONE amount.

6 STEP THREE: Determine the result of:

7 (A) the foundation amount; multiplied by

8 (B) the STEP TWO amount.

9 STEP FOUR: Determine the result of:

10 (A) the STEP ONE amount; multiplied by

11 (B) eighty-five percent (85%) of the foundation amount.

12 STEP FIVE: Multiply the school corporation's complexity index by:

13 (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars
14 (\$3,650); and

15 (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five
16 dollars (\$3,675).

17 STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM.

18 STEP SEVEN: This STEP applies only to a school corporation that has at least eighteen percent
19 (18%) of its ADM eligible for the English language learners program and that experienced a
20 percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index
21 for the school year ending in 2017 compared to the school corporation's complexity index for the
22 current school year. For such a school corporation determine the result of:

23 (A) the school corporation's current ADM; multiplied by

24 (B) one hundred twenty-eight dollars (\$128).

25 STEP EIGHT: Determine the result of:

26 (A) the STEP THREE amount; plus

27 (B) the STEP FOUR amount; plus

28 (C) the STEP SIX amount; plus

29 (D) the STEP SEVEN amount; if applicable.

30 SECTION 115. IC 20-43-7-6, AS AMENDED BY P.L.108-2019, SECTION 226, IS AMENDED TO
31 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 6. A school corporation's special education
32 grant for a state fiscal year is equal to the sum of the following:

33 (1) The nonduplicated count of pupils in programs for severe disabilities multiplied by nine thousand
34 one hundred fifty-six dollars (\$9,156).

35 (2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by
36 two thousand three hundred dollars (\$2,300).

37 (3) The duplicated count of pupils in programs for communication disorders multiplied by five
38 hundred dollars (\$500).

39 (4) The cumulative count of pupils in homebound programs multiplied by five hundred dollars
40 (\$500).

41 (5) The nonduplicated count of pupils in special preschool education programs multiplied by the
42 following:

43 (A) Two thousand eight hundred seventy-five dollars (\$2,875) for the state fiscal year beginning
44 July 1, 2019.

45 (B) Three thousand dollars (\$3,000) for the state fiscal year beginning July 1, 2020: **three**
46 **thousand dollars (\$3,000).**

47 SECTION 116. IC 20-43-8-7.5, AS AMENDED BY P.L.108-2019, SECTION 227, IS AMENDED



1 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 7.5. (a) The department of workforce
2 development shall designate each career and technical education program as:
3 (1) an apprenticeship program;
4 (2) a cooperative education program;
5 (3) a work based learning program;
6 (4) a high value program;
7 (5) a moderate value program;
8 ~~(6) a less than moderate value program;~~
9 ~~(7) (6) an introductory program; or~~
10 ~~(8) (7) a foundational career and technical education course.~~
11 The designation of career and technical education programs by the department of workforce development
12 under this section must be reviewed and approved by the state board as provided in this section.
13 (b) Not later than December 1, 2019, and each December 1 thereafter, the department of workforce
14 development shall designate each career and technical education program as:
15 (1) an apprenticeship program;
16 (2) a work based learning program;
17 (3) a high value level 1 program;
18 (4) a high value level 2 program;
19 (5) a moderate value level 1 program;
20 (6) a moderate value level 2 program;
21 ~~(7) a less than moderate value level 1 program;~~
22 ~~(8) a less than moderate value level 2 program;~~
23 ~~(9) (7) a planning for college and career course; or~~
24 ~~(10) (8) an introductory program.~~
25 The designation of career and technical education programs by the department of workforce development
26 under this section must be reviewed and approved by the state board as provided in this section.
27 (c) If a new career and technical education program is created by rule, the department of workforce
28 development shall determine the category in which the program is designated under subsection (a) or (b).
29 A career and technical education program must be approved by the department of workforce development
30 in order for a school corporation to be eligible to receive a grant amount for the career and technical
31 education program under section 15 of this chapter.
32 (d) Not later than December 1 of each year, the department of workforce development shall provide
33 a report to the state board that includes the following information:
34 (1) A list of the career and technical education courses for the next school year that are designated
35 by the department of workforce development under this section.
36 (2) The labor market demand used to designate each career and technical education program under
37 this section.
38 (3) The average wage level used to designate each career and technical education program under
39 this section.
40 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,
41 and municipalities.
42 (5) Any other information pertinent to the methodology used by the department of workforce
43 development to designate each career and technical education program under this section.
44 (e) Not later than January 1 of each year, the state board shall review and approve the report provided
45 by the department of workforce development under subsection (d) at a public meeting to ensure that the
46 list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later
47 than January 1 of each year, the state board shall send its determination to the department of workforce



1 development. Upon receipt of the state board's determination, the department of workforce development
2 shall provide the approved report to the department.

3 (f) The department of workforce development shall publish the approved report under subsection (e)
4 on the department of workforce development's Internet web site, including the following:

5 (1) The list of career and technical education programs that are designated by the department of
6 workforce development under this section.

7 (2) The labor market demand used to designate each career and technical education program under
8 this section.

9 (3) The average wage level used to designate each career and technical education program under
10 this section.

11 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,
12 and municipalities.

13 (5) Any other information pertinent to the methodology used by the department of workforce
14 development to designate each career and technical education program under this section.

15 In addition, the department shall notify all school corporations of the state board's approval of the report
16 under subsection (e) and provide a link within the notice to the approved report published on the
17 department of workforce development's Internet web site under this subsection.

18 SECTION 117. IC 20-43-8-15, AS AMENDED BY P.L.154-2020, SECTION 42, IS AMENDED TO
19 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 15. ~~(a) This subsection applies to the state~~
20 ~~fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant~~
21 ~~for a state fiscal year is the sum of the amounts determined under the following STEPS:~~

22 ~~STEP ONE: Determine for each career and technical education program provided by the school~~
23 ~~corporation:~~

24 ~~(A) the number of credit hours of the program (one (1) credit; two (2) credits; or three (3)~~
25 ~~credits); multiplied by~~

26 ~~(B) the number of pupils enrolled in the program; multiplied by~~

27 ~~(C) the following applicable amount:~~

28 ~~(i) Six hundred eighty dollars (\$680) for a career and technical education program designated~~
29 ~~by the department of workforce development as a high value program under section 7.5 of this~~
30 ~~chapter.~~

31 ~~(ii) Four hundred dollars (\$400) for a career and technical education program designated by~~
32 ~~the department of workforce development as a moderate value program under section 7.5 of~~
33 ~~this chapter.~~

34 ~~(iii) Two hundred dollars (\$200) for a career and technical education program designated by~~
35 ~~the department of workforce development as a less than moderate value program under section~~
36 ~~7.5 of this chapter.~~

37 ~~STEP TWO: Determine the number of pupils enrolled in an apprenticeship program; a cooperative~~
38 ~~education program; a foundational career and technical education course; or a work based learning~~
39 ~~course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150).~~

40 ~~STEP THREE: Determine the number of pupils enrolled in an introductory program designated~~
41 ~~under section 7.5 of this chapter multiplied by three hundred dollars (\$300).~~

42 ~~STEP FOUR: Determine the number of pupils who travel from the school in which they are currently~~
43 ~~enrolled to another school to participate in a career and technical education program in which pupils~~
44 ~~from multiple schools are served at a common location multiplied by one hundred fifty dollars~~
45 ~~(\$150).~~

46 ~~(b) This subsection section applies to state fiscal years beginning after June 30, 2020. 2021. A school~~
47 ~~corporation's career and technical education enrollment grant for a state fiscal year is the sum of the~~



1 amounts determined under the following STEPS:

2 STEP ONE: Determine for each career and technical education program provided by the school
3 corporation:

4 (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3)
5 credits); multiplied by

6 (B) the number of pupils enrolled in the program; multiplied by

7 (C) the following applicable amount:

8 (i) ~~Six hundred eighty dollars (\$680)~~ **Seven hundred ten dollars (\$710)** for a career and
9 technical education program designated by the department of workforce development as a high
10 value level 1 program under section 7.5 of this chapter.

11 (ii) ~~One thousand twenty dollars (\$1,020)~~ **One thousand one hundred fifty dollars (\$1,150)**
12 for a career and technical education program designated by the department of workforce
13 development as a high value level 2 program under section 7.5 of this chapter.

14 (iii) Four hundred dollars (\$400) for a career and technical education program designated by
15 the department of workforce development as a moderate value level 1 program under section
16 7.5 of this chapter.

17 (iv) Six hundred dollars (\$600) for a career and technical education program designated by the
18 department of workforce development as a moderate value level 2 program under section 7.5
19 of this chapter.

20 ~~(v) Two hundred dollars (\$200) for a career and technical education program designated by the~~
21 ~~department of workforce development as a less than moderate value level 1 program under~~
22 ~~section 7.5 of this chapter.~~

23 ~~(vi) Three hundred dollars (\$300) for a career and technical education program designated by~~
24 ~~the department of workforce development as a less than moderate value level 2 program under~~
25 ~~section 7.5 of this chapter.~~

26 STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based
27 learning program designated under section 7.5 of this chapter multiplied by five hundred dollars
28 (\$500).

29 STEP THREE: Determine the number of pupils enrolled in an introductory program designated
30 under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

31 STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course
32 under section 7.5 of this chapter at the school corporation that is approved by the department of
33 workforce development multiplied by one hundred fifty dollars (\$150).

34 STEP FIVE: Determine the number of pupils who travel from the school in which they are currently
35 enrolled to another school to participate in a career and technical education program in which pupils
36 from multiple schools are served at a common location multiplied by one hundred fifty dollars
37 (\$150).

38 SECTION 118. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED
39 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3.5. (a) As used in this section, "school"
40 means a school corporation, charter school, and a virtual charter school.

41 (b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as
42 provided in this section for a state fiscal year if one (1) or more licensed teachers:

43 (1) employed in the classroom by the school; or

44 (2) directly providing virtual education;

45 were rated as effective or as highly effective, using the most recently completed teacher ratings.

46 (c) A school may not receive a teacher appreciation grant under this section unless:

47 (1) the school has in the state fiscal year in which the teacher appreciation grants are made under



1 this section:

2 (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and

3 (B) submitted the policy to the department for approval; and

4 (2) the department has approved the policy.

5 The department shall specify the date by which a policy described in subdivision (1) must be submitted
6 to the department.

7 (d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter
8 school is equal to:

9 (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by

10 (2) the school's current ADM.

11 However, the grant amount for a virtual charter school may not exceed the statewide average grant
12 amount.

13 (e) The following apply to the distribution of teacher appreciation grants:

14 (1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year
15 exceeds the amount appropriated by the general assembly for teacher appreciation grants for that
16 state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be
17 proportionately reduced so that the total reduction equals the amount of the excess. The amount of
18 the reduction for a particular school is equal to the total amount of the excess multiplied by a
19 fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school
20 would have received if a reduction were not made under this section. The denominator of the
21 fraction is the total amount that would be distributed as teacher appreciation grants to all schools if
22 a reduction were not made under this section.

23 (2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year
24 is less than the amount appropriated by the general assembly for teacher appreciation grants for that
25 state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that
26 particular state fiscal year shall be proportionately increased so that the total amount to be
27 distributed equals the amount of the appropriation for that particular state fiscal year.

28 (f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be
29 distributed to the school before December 5 of that state fiscal year.

30 (g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher
31 appreciation grants:

32 (1) The governing body shall differentiate between a teacher rated as a highly effective teacher and
33 a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded
34 to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than
35 the amount of a stipend awarded to a teacher rated as an effective teacher.

36 (2) The governing body of a school may differentiate between school buildings.

37 (3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but
38 is discussable, and is in addition to the minimum salary or increases in salary set under
39 IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%)
40 of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a
41 permanent part of and increases the base salary of the teacher receiving the stipend for school years
42 beginning after the state fiscal year in which the stipend is received. The addition to base salary is
43 not subject to collective bargaining, but is discussable.

44 (h) A teacher appreciation grant received by a school shall be allocated among and used only to pay
45 cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly
46 effective and employed by the school as of December 1. A school may allocate up to twenty percent
47 (20%) of the grant received by the school to provide a supplemental award to teachers with less than five



1 (5) years of service who are rated as effective or as highly effective. The supplemental award is in
2 addition to the award made from the part of the grant that is allocated to all eligible teachers.

3 (i) The lead school corporation or interlocal cooperative administering a cooperative or other special
4 education program or administering a career and technical education program, including programs
5 managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant
6 stipends to and carry out the other responsibilities of an employing school corporation under this section
7 for the teachers in the special education program or career and technical education program.

8 (j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within
9 twenty (20) business days of the date the department distributes the teacher appreciation grant to the
10 school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February
11 must be returned to the department on the earlier of the date set by the department or June 30 of that state
12 fiscal year.

13 (k) The department, after review by the budget committee, may waive the December 5 deadline under
14 subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that
15 state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if
16 the department determines that a waiver and extension of the deadline are in the public interest.

17 (l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided
18 in IC 4-22-2-37.1, as necessary to implement this section.

19 (m) This section expires June 30, ~~2021~~ **2023**.

20 SECTION 119. IC 20-43-13-4, AS AMENDED BY P.L. 108-2019, SECTION 233, IS AMENDED TO
21 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 4. (a) Except as provided in subsection (c),
22 the complexity index is the percentage of the school corporation's students who were receiving
23 Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families
24 (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

25 (1) ~~2019~~; **2021**; or

26 (2) the first year of operation of the school corporation.

27 (b) For a conversion charter school, the percentage determined under this section is the percentage of
28 the sponsor school corporation.

29 (c) If a school corporation's complexity index is less than the school corporation's complexity index
30 for the preceding state fiscal year, the school corporation's complexity index for the state fiscal year is the
31 greater of:

32 (1) the school corporation's complexity index for the state fiscal year; or

33 (2) the school corporation's complexity index for the preceding state fiscal year minus twenty-five
34 thousandths (0.025).

35 (c) For the state fiscal year beginning July 1, 2021, if a school corporation's complexity index is:

36 (1) greater than:

37 (A) the school corporation's complexity index for the preceding state fiscal year; plus

38 (B) twenty-five thousandths (0.025);

39 the school corporation's complexity index for the state fiscal year is equal to the school
40 corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths
41 (0.025); or

42 (2) less than:

43 (A) the school corporation's complexity index for the preceding state fiscal year; minus

44 (B) twenty-five thousandths (0.025);

45 the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is
46 equal to the school corporation's complexity index for the preceding state fiscal year minus
47 twenty-five thousandths (0.025).



1 (d) For the state fiscal year beginning July 1, 2022, if a school corporation's complexity index is:

2 (1) greater than:

3 (A) the school corporation's complexity index for the preceding state fiscal year; plus

4 (B) twenty-five thousandths (0.025);

5 the school corporation's complexity index for the state fiscal year is equal to the school
6 corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths
7 (0.025); or

8 (2) less than:

9 (A) the school corporation's complexity index for the preceding state fiscal year; minus

10 (B) twenty-five thousandths (0.025);

11 the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is
12 equal to the school corporation's complexity index for the preceding state fiscal year minus
13 twenty-five thousandths (0.025).

14 (d) (e) For a participating innovation network charter school, the percentage determined under this
15 section is the greater of the percentage for the:

16 (1) participating innovation network charter school; or

17 (2) school corporation with which the participating innovation network charter school has
18 contracted.

19 SECTION 120. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4.3. "Eligible choice scholarship student"
21 refers to an individual who:

22 (1) has legal settlement in Indiana;

23 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the
24 school year specified in IC 20-33-2-7; and

25 (3) is a member of a household with an annual income of not more than:

26 (A) for a school year beginning after June 30, 2021, and before July 1, 2022, two hundred
27 twenty-five percent (225%) of the amount required for the individual to qualify for the
28 federal free or reduced price lunch program; or

29 (B) for a school year beginning after June 30, 2022, three hundred percent (300%) of the
30 amount required for the individual to qualify for the federal free or reduced price lunch
31 program; and

32 (d) (4) meets at least one (1) of the following conditions:

33 (A) The individual is

34 (i) a student with a disability who requires special education and for whom an individualized
35 education program has been developed under IC 20-35 or a service plan developed under 511
36 IAC 7-34. and

37 (ii) a member of a household with an annual income of not more than two hundred percent
38 (200%) of the amount required for the individual to qualify for the federal free or reduced price
39 lunch program.

40 (B) The individual is

41 (i) an individual who, because of the school corporation's residency requirement, would be
42 required to attend a specific public school within a school corporation that has been placed in
43 the lowest category or designation of school improvement under IC 20-31-8-4 (has been
44 assigned an "F" grade). and

45 (ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income
46 of not more than one hundred fifty percent (150%) of the amount required for the individual
47 to qualify for the federal free or reduced price lunch program.



1 An individual to whom this clause applies is not required to attend the public school before
2 becoming eligible for a choice scholarship, and may not be required to return to the public school
3 if the public school is placed in a higher category or designation under IC 20-31-8-4.

4 (C) Except as provided in ~~IC 20-51-4-2.5~~, the individual is a member of a household with an
5 annual income of not more than one hundred fifty percent (150%) of the amount required for the
6 individual to qualify for the federal free or reduced price lunch program and The individual was
7 enrolled in kindergarten through grade 12, in a public school, including a charter school, in
8 Indiana for at least two (2) semesters immediately preceding the first semester for which the
9 individual receives a choice scholarship under IC 20-51-4.

10 (D) The individual or a sibling of the individual ~~who, except as provided in IC 20-51-4-2.5, is~~
11 ~~a member of a household with an annual income of not more than one hundred fifty percent~~
12 ~~(150%) of the amount required for the individual to qualify for the federal free or reduced price~~
13 ~~lunch program and~~ satisfies either of the following:

14 (i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from
15 a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4
16 in a preceding school year, including a school year that does not immediately precede a school
17 year in which the individual receives a scholarship from a scholarship granting organization
18 under IC 20-51-3 or a choice scholarship under IC 20-51-4.

19 (ii) The individual or a sibling of the individual receives for the first time after June 30, 2013,
20 a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization
21 under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year,
22 including a school year that does not immediately precede a school year in which the individual
23 receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice
24 scholarship under IC 20-51-4.

25 (E) Subject to IC 20-51-4-2.7, the individual:

26 (i) received an early education grant under IC 12-17.2-7.2;

27 (ii) used the grant described in item (i) to attend a prekindergarten program at an eligible
28 school; **and**

29 ~~(iii) continues to meet the income eligibility requirements the individual was required to meet~~
30 ~~to receive an early education grant under IC 12-17.2-7.2; and~~

31 ~~(iv) (iii) continues to attend the eligible school at which the individual attended a~~
32 ~~prekindergarten program as described in item (ii).~~

33 **(F) The individual is in foster care.**

34 SECTION 121. IC 20-51-1-5, AS AMENDED BY P.L.211-2013, SECTION 7, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. "Eligible student" refers to an individual
36 who:

37 (1) has legal settlement in Indiana;

38 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the
39 school year specified in IC 20-33-2-7;

40 (3) either has been or is currently enrolled in a participating school; and

41 (4) is a member of a household with:

42 **(A) for taxable years ending before January 1, 2022**, an annual income of not more than two
43 hundred percent (200%) of the amount required for the individual to qualify for the federal free
44 or reduced price lunch program;

45 **(B) for the taxable year beginning after December 31, 2021, and ending before January 1,**
46 **2023, an annual income of not more than two hundred twenty-five percent (225%) of the**
47 **amount required for the individual to qualify for the federal free or reduced price lunch**



1 program; and

2 (C) for taxable years beginning after December 31, 2022, an annual income of not more
3 than three hundred percent (300%) of the amount required for the individual to qualify for
4 the federal free or reduced price lunch program.

5 SECTION 122. IC 20-51-1-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. "Parent", for purposes of IC 20-51-4,
7 includes the foster parent of an eligible choice scholarship student.

8 SECTION 123. IC 20-51-4-2, AS AMENDED BY P.L.211-2013, SECTION 9, IS AMENDED TO
9 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) ~~Subject to subsection (b)~~; **Except as**
10 **provided in subsection (b)**, an eligible choice scholarship student is entitled to a choice scholarship
11 under this chapter for each school year beginning after June 30, 2011, that the eligible choice scholarship
12 student enrolls in an eligible school.

13 (b) The department may not award more than:

14 (1) seven thousand five hundred (7,500) choice scholarships for the school year beginning July 1,
15 2011, and ending June 30, 2012; and

16 (2) fifteen thousand (15,000) choice scholarships for the school year beginning July 1, 2012, and
17 ending June 30, 2013.

18 The department shall establish the standards used to allocate choice scholarships among eligible choice
19 scholarship students:

20 (b) **An eligible choice scholarship student is not entitled to a choice scholarship under this**
21 **chapter for a particular year if the eligible choice scholarship student receives an annual grant**
22 **amount under IC 20-51.4-4-2 under the Indiana education scholarship account program for the**
23 **same school year.**

24 SECTION 124. IC 20-51-4-2.5 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 2.5.~~
25 Notwithstanding IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or IC 20-51-1-4.3(3)(D)(ii), an individual
26 who initially meets the income requirements under IC 20-51-1-4.3(3)(B), IC 20-51-1-4.3(3)(C), or
27 IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is
28 considered to meet the income requirements for as long as the individual is enrolled in an eligible school
29 and is a member of a household with an annual income of not more than two hundred percent (200%) of
30 the amount required for the individual to qualify for the federal free or reduced price lunch program.

31 SECTION 125. IC 20-51-4-2.7, AS ADDED BY P.L.184-2017, SECTION 35, IS AMENDED TO
32 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.7. An eligible choice scholarship student
33 described in ~~IC 20-51-1-4.3(3)(E)~~ **IC 20-51-1-4.3(4)(E)** may only use a choice scholarship awarded to
34 the eligible choice scholarship student under this chapter to attend an eligible school at which the
35 individual used an early education grant under IC 12-17.2-7.2 to attend a prekindergarten program unless
36 the eligible choice scholarship student otherwise qualifies for a choice scholarship under
37 ~~IC 20-51-1-4.3(3)(A)~~ **IC 20-51-1-4.3(4)(A)** through ~~IC 20-51-1-4.3(3)(D)~~ **IC 20-51-1-4.3(4)(D)** or
38 **IC 20-51-1-4.3(4)(F)** and this chapter.

39 SECTION 126. IC 20-51-4-4, AS AMENDED BY P.L.108-2019, SECTION 234, IS AMENDED TO
40 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The amount an eligible choice
41 scholarship student is entitled to receive under this chapter for a school year is equal to the following:

42 (1) The least of the following:

43 (A) The sum of the tuition **or** transfer tuition and fees required for enrollment or attendance of
44 the eligible choice scholarship student at the eligible school selected by the eligible choice
45 scholarship student for a school year that the eligible choice scholarship student (or the parent
46 of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible
47 school.



1 (B) An amount equal to
2 (i) ninety percent (90%) of the state tuition support amount determined under section 5 of this
3 chapter. if the eligible choice scholarship student is a member of a household with an annual
4 income of not more than the amount required for the eligible choice scholarship student to
5 qualify for the federal free or reduced price lunch program;
6 (ii) seventy percent (70%) of the state tuition support amount determined under section 5 of
7 this chapter if the eligible choice scholarship student is a member of a household with an
8 annual income of, in the case of an individual not described in section 2.5 of this chapter or
9 item (i); not more than one hundred twenty-five percent (125%) of the amount required for the
10 eligible choice scholarship student to qualify for the federal free or reduced price lunch
11 program; and
12 (iii) fifty percent (50%) of the state tuition support amount determined under section 5 of this
13 chapter if the eligible choice scholarship student is a member of a household with an annual
14 income of, in the case of an individual not described in section 2.5 of this chapter or item (i)
15 or (ii); not more than one hundred fifty percent (150%) of the amount required for the eligible
16 choice scholarship student to qualify for the federal free or reduced price lunch program or, in
17 the case of an individual described in section 2.5 of this chapter, not more than two hundred
18 percent (200%) of the amount required for the eligible choice scholarship student to qualify
19 for the federal free or reduced price lunch program.

20 (2) In addition to the amount described in subdivision (1), if the eligible choice scholarship
21 student has been identified as eligible for special education services under IC 20-35 and the eligible
22 school provides the necessary special education or related services to the eligible choice scholarship
23 student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice
24 scholarship student if the eligible choice scholarship student attended the school corporation.
25 However, if an eligible choice scholarship student changes schools during the school year after the
26 December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and
27 the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship
28 amounts paid to the eligible choice scholarship student for the remainder of the school year after the
29 eligible choice scholarship student enrolls in the different eligible school shall not include amounts
30 that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student
31 if the eligible choice scholarship student attended the school corporation.

32 (b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the
33 eligible student applies for the choice scholarship under section 7(e) of this chapter shall be reduced on
34 a prorated basis in the manner prescribed in section 6 of this chapter.

35 SECTION 127. IC 20-51-4-5, AS AMENDED BY P.L.106-2016, SECTION 20, IS AMENDED TO
36 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The state tuition support amount to be used
37 in section 4(a)(1)(B) of this chapter for an eligible choice scholarship student is the amount determined
38 under the last STEP of the following formula:

39 STEP ONE: Determine the school corporation in which the eligible choice scholarship student has
40 legal settlement.

41 STEP TWO: Determine the amount of state tuition support that the school corporation identified
42 under STEP ONE is eligible to receive under IC 20-43 for the state fiscal year in which the current
43 school year begins, ~~excluding~~ **including the basic tuition support amount made under IC 20-43-6**
44 **and grants made under IC 20-43-10-2. However, the amount does not include** amounts provided
45 for special education grants under IC 20-43-7 and career and technical education grants under
46 IC 20-43-8.

47 STEP THREE: Determine the result of:



- 1 (A) the STEP TWO amount; divided by
- 2 (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under
- 3 STEP ONE for the state fiscal year used in STEP TWO.

4 SECTION 128. IC 20-51-4-10, AS AMENDED BY P.L.106-2016, SECTION 23, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The department shall distribute choice
6 scholarships at least once each semester, or at equivalent intervals. The department may distribute the
7 choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice
8 scholarship student) for the purpose of paying the educational costs described in section ~~4(1)(A) of this~~
9 ~~chapter (before July 1, 2017) or in section 4(a)(1)(A) of this chapter. (after June 30, 2017).~~ For the
10 distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice
11 scholarship student) and the eligible school providing educational services to the eligible choice
12 scholarship student must annually sign a form, prescribed by the department to endorse distributions for
13 the particular school year. If:

- 14 (1) an eligible choice scholarship student who is receiving a choice scholarship for a school year
 - 15 changes schools during the school year after signing the form to endorse distributions for that school
 - 16 year; and
 - 17 (2) the eligible choice scholarship student enrolls in a different eligible school that has not signed
 - 18 the form to endorse distributions for that school year;
- 19 the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the
20 eligible school must sign the form prescribed by the department to endorse distributions for the particular
21 school year.

22 SECTION 129. IC 20-51.4 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ
23 AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

24 **ARTICLE 51.4. INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM**

25 **Chapter 1. Applicability**

26 **Sec. 1. This article applies to a school year beginning after June 30, 2021, and each school year**
27 **thereafter.**

28 **Chapter 2. Definitions**

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

30 **Sec. 2. "Account" refers to an Indiana education scholarship account established by an eligible**
31 **student's parent or an emancipated (as described in IC 20-26-11-4) eligible student under**
32 **IC 20-51.4-4-1.**

33 **Sec. 3. "Annual grant amount" refers to the annual grant amount deposited into the eligible**
34 **student's account under IC 20-51.4-4-2.**

35 **Sec. 4. "Approved postsecondary educational institution" has the meaning set forth in**
36 **IC 21-7-13-6(a).**

37 **Sec. 5. "Council" refers to the Indiana education scholarship account program advisory council**
38 **established under IC 20-51.4-3-7.**

39 **Sec. 6. "Eligible student" refers to an individual who:**

- 40 (1) has legal settlement in Indiana;
- 41 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the
- 42 school year specified in IC 20-33-2-7;
- 43 (3) is:
 - 44 (A) a student with a disability at the time the account is established who requires special
 - 45 education and for whom:
 - 46 (i) an individualized education program;
 - 47 (ii) a service plan developed under 511 IAC 7-34; or



1 (iii) a choice special education plan developed under 511 IAC 7-49;
2 has been developed;

3 (B) a student with a parent who, at the time the account is established, is on active duty
4 service in the armed forces of the United States or national guard; or

5 (C) placed in foster care or otherwise under care and supervision of the department of child
6 services at the time the account is established and has received authorization from the
7 department of child services to establish the account; and

8 (4) either:

9 (A) established an account; or

10 (B) had an account established on behalf of the individual;

11 that has not been frozen by the treasurer of state under IC 20-51.4-4-9.

12 Sec. 7. "Parent" has the meaning set forth in IC 20-18-2-13 and includes for a student described
13 in section 6(3)(C) of this chapter, a foster parent.

14 Sec. 8. "Participating entity" refers to an individual or entity authorized by the treasurer of state
15 to participate in the program under IC 20-51.4-5-2.

16 Sec. 9. "Program" refers to the Indiana education scholarship account program established by
17 IC 20-51.4-3-1.

18 Sec. 10. "Public school" refers to a school maintained by a school corporation or a charter
19 school.

20 Sec. 11. "Qualified expenses" refers to the following expenses related to the education of an
21 eligible student for which scholarship money in an account may be used:

22 (1) Tuition and fees at a qualified school, public school, or other participating entity.

23 (2) Curricular materials required to be used by the eligible student at a qualified school, public
24 school, or other participating entity.

25 (3) Payment for the purchase of curricular materials or any supplemental materials required
26 to administer the curriculum.

27 (4) Fees for:

28 (A) national norm referenced or criterion referenced examinations;

29 (B) advanced placement examinations, Cambridge International courses, International
30 Baccalaureate courses, or College-Level Examination Program (CLEP) examinations;

31 (C) any examinations necessary for admission to an approved postsecondary educational
32 institution; or

33 (D) assessments associated with industry recognized credentials.

34 (5) Educational services for an eligible student who is a student with a disability, provided in
35 accordance with the eligible student's:

36 (A) individualized education program developed under IC 20-35 or service plan developed
37 under 511 IAC 7-34; or

38 (B) plan established in accordance with Section 504 of the Rehabilitation Act of 1973, 29
39 U.S.C. 794.

40 (6) Payments associated with the use of paraprofessional or educational aides.

41 (7) Tuition and fees at an approved postsecondary educational institution or vocational school.

42 (8) Curricular materials required for courses in which the eligible student is enrolled at an
43 approved postsecondary educational institution.

44 (9) Services contracted for and provided by a school corporation, charter school, or magnet
45 school, including:

46 (A) individual classes; or

47 (B) extracurricular activities or programs.



1 (10) Occupational therapy for a student with a disability, provided in accordance with the
2 eligible student's individualized education program developed under IC 20-35 or service plan
3 developed under 511 IAC 7-34.

4 (11) Additional services and therapies prescribed by the eligible student's treating physician
5 in accordance with generally accepted standards of care to improve outcomes for the student
6 in addition to any services currently being provided by the school, insurance, or the Medicaid
7 program.

8 (12) Tuition, fees, instructional material, and examination fees at a career or technical school.

9 (13) Computer hardware or other technological devices one (1) time every three (3) years if
10 used for an eligible student's educational needs and approved by the treasurer of state.

11 (14) Subject to IC 20-51.4-4-7, fees for transportation paid to a fee-for-service transportation
12 provider for the eligible student to travel to and from an approved service provider.

13 (15) Costs of up to two hundred dollars (\$200) associated with obtaining a school uniform.

14 (16) Tuition and fees to attend training programs and camps that have a focus on:

15 (A) vocational skills;

16 (B) academic skills;

17 (C) life skills;

18 (D) independence; or

19 (E) soft job skills that are character traits and interpersonal skills that characterize a
20 person's relationships with other people.

21 (17) Fees for the management of the account, as described in IC 20-51.4-3-2(c).

22 (18) An expense approved by the council under IC 20-51.4-3-6.

23 **Sec. 12. "Qualified school" refers to a nonpublic school accredited by either the state board or
24 a national or regional accreditation agency that is recognized by the state board:**

25 (1) to which an eligible student is required to pay tuition to attend;

26 (2) that agrees to enroll an eligible student; and

27 (3) that administers the statewide assessment or an assessment that is correlated to the
28 statewide assessment under IC 20-51.4-3-9.

29 **Chapter 3. Administration of Indiana Education Scholarship Accounts**

30 **Sec. 1. The Indiana education scholarship account program is established to provide grants to
31 a parent of an eligible student or an emancipated student under IC 20-51.4-4 after June 30, 2022.**

32 **Sec. 2. (a) The program shall be administered by the treasurer of state in consultation with the
33 state board and the department.**

34 **(b) The treasurer of state may contract with one (1) or more entities to maintain and manage
35 accounts established under IC 20-51.4-4-1 after issuing a request for proposal under IC 5-22-9.
36 Each entity shall:**

37 (1) meet qualification requirements established by the treasurer of state; and

38 (2) comply with generally accepted accounting principles.

39 **(c) The treasurer of state shall establish reasonable fees for entities described in subsection (b)
40 participating in the program based upon market rates.**

41 **Sec. 3. (a) The program is subject to annual audit by an independent public accounting firm
42 retained by the treasurer of state.**

43 **(b) The treasurer of state shall promptly transmit copies of each annual audit to the governor
44 and, in an electronic format under IC 5-14-6, the general assembly. Upon request, the treasurer of
45 state shall make copies of the audit available to the public.**

46 **Sec. 4. (a) After June 30, 2022, the treasurer of state shall administer an annual survey of parents
47 of eligible students and emancipated eligible students who maintain an account under**



1 IC 20-51.4-4-1. The survey must request information:

- 2 (1) regarding when the account was established and the number of grants received;
- 3 (2) relating to relative satisfaction with the program; and
- 4 (3) regarding opinions on any topics, items, or issues that the treasurer of state determines may
- 5 improve the effectiveness of the program or the education experience of the eligible student
- 6 or the eligible student's family.

7 (b) Not later than November 1, 2022, and each November 1 thereafter, the treasurer of state shall

8 annually provide a summary of the survey administered under subsection (a) to the governor and,

9 in an electronic format under IC 5-14-6, the legislative council.

10 Sec. 5. The treasurer of state shall provide online services and capabilities including, but not

11 limited to, the following:

- 12 (1) A method for parents to submit an application agreement described in IC 20-51.4-4-1(a).
- 13 (2) A method for an eligible school and a participating entity to submit the intent of the eligible
- 14 school or participating entity to participate in the program.
- 15 (3) A method for parents to identify and select eligible schools and participating entities
- 16 participating in the program.
- 17 (4) A method for parents and participating entities to initiate and receive payments from an
- 18 eligible student's account.
- 19 (5) A method for parents to rate the parent's experience with a participating entity and the
- 20 ability for other parents of eligible students to see the rating.
- 21 (6) Methods that are intuitive and allow for contributions to be easily made to an eligible
- 22 student's account.
- 23 (7) Resources the family of an eligible student described in IC 20-51.4-2-6(3)(A) or
- 24 IC 20-51.4-2-6(3)(C) can access to learn about advocacy groups available to provide
- 25 information and resources to the eligible student's family.

26 Sec. 6. Not later than July 1, 2023, the treasurer of state, in consultation with the state board and

27 the department, shall establish a procedure to allow a parent of an eligible student or an

28 emancipated eligible student to petition the council for the approval of an expense not listed under

29 IC 20-51.4-2-11(1) through IC 20-51.4-2-11(17).

30 Sec. 7. (a) The Indiana education scholarship account program advisory council is established

31 to:

- 32 (1) provide guidance on the implementation of the program as well as to provide
- 33 recommendations for program improvements to the treasurer of state and, in an electronic
- 34 format under IC 5-14-6, to the general assembly; and
- 35 (2) review a summary of the surveys administered by the treasurer of state under section 4 of
- 36 this chapter and make recommendations to the department or, in an electronic format under
- 37 IC 5-14-6, to the general assembly, to improve the educational experience offered by the
- 38 program.

39 (b) The council consists of the following members:

- 40 (1) A representative of the treasurer of state's office, appointed by the treasurer of state.
- 41 (2) A representative of the department, appointed by the secretary of education.
- 42 (3) A representative of the Indiana Council of Administrators of Special Education (ICASE),
- 43 appointed by the secretary of education.
- 44 (4) One (1) member who is a representative of a statewide advocacy organization for
- 45 individuals with intellectual and developmental disabilities, appointed by the treasurer of state.
- 46 (5) One (1) member who is a representative of an organization advocating for foster children,
- 47 appointed by the treasurer of state.



1 (6) One (1) member who is a representative of an organization advocating for military
2 families, appointed by the treasurer of state.

3 (7) One (1) member who must be the parent of an eligible student described in
4 IC 20-51.4-2-6(3)(A), appointed by the president pro tempore of the senate.

5 (8) One (1) member who must be the parent of an eligible student described in
6 IC 20-51.4-2-6(3)(B), appointed by the president pro tempore of the senate.

7 (9) One (1) member who must be the parent of an eligible student described in
8 IC 20-51.4-2-6(3)(C), appointed by the president pro tempore of the senate.

9 (10) Two (2) members who are parents of an eligible student described in IC 20-51.4-2-6(3)(A),
10 IC 20-51.4-2-6(3)(B), or IC 20-51.4-2-6(3)(C), appointed by the speaker of the house of
11 representatives.

12 (11) One (1) member who is a representative of nonpublic schools appointed by the secretary
13 of education.

14 (12) One (1) member who is an eligible student, appointed by the speaker of the house of
15 representatives.

16 (c) The member described in subsection (b)(1) shall act as chairperson of the council. The council
17 shall meet at the call of the chairperson. The treasurer of state shall provide staffing support for
18 the council. A majority of the entire membership of the council shall constitute a quorum. No action
19 of the council shall be valid unless approved by at least seven (7) members.

20 (d) The council shall make recommendations to the treasurer of state regarding the
21 establishment of a program handbook.

22 Sec. 8. (a) The department shall provide services that offer objective advice upon request to
23 parents of an eligible student or an emancipated eligible student relating to services that can help
24 meet the eligible student's or emancipated eligible student's particular needs.

25 (b) The department may contract with a third party provider to provide the services described
26 in subsection (a).

27 Sec. 9. The department shall maintain a list of assessments that are correlated to the statewide
28 assessment, and upon request from a school, perform an assessment correlation if the assessment
29 correlation is feasible.

30 Chapter 4. Indiana Education Scholarship Accounts

31 Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student
32 may establish an Indiana education scholarship account for the eligible student by entering into a
33 written agreement with the treasurer of state on a form prepared by the treasurer of state. The
34 treasurer of state shall establish a date by which an application to establish an account for the
35 2022-2023 school year must be submitted. However, for a school year beginning after July 1, 2022,
36 applications must be submitted for an eligible student not later than April 1 for the immediately
37 following school year. The account of an eligible student shall be made in the name of the eligible
38 student. The treasurer of state shall make the agreement available on the Internet web site of the
39 treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student
40 wishing to participate in the program must agree that:

41 (1) a grant deposited in the eligible student's account under section 2 of this chapter and any
42 interest that may accrue in the account will be used only for the eligible student's qualified
43 expenses;

44 (2) money in the account when the account is terminated reverts to the state tuition reserve
45 account established by IC 4-12-1-15.7;

46 (3) the parent of the eligible student or the emancipated eligible student will use part of the
47 money in the account:



1 (A) for the eligible student's study in the subject of reading, grammar, mathematics, social
2 studies, or science; or
3 (B) for use in accordance with the eligible student's:
4 (i) individualized education program;
5 (ii) service plan developed under 511 IAC 7-34;
6 (iii) choice special education plan developed under 511 IAC 7-49; or
7 (iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.
8 794; and
9 (4) the eligible student will not be enrolled in a school that receives tuition support under
10 IC 20-43.
11 (b) A parent of an eligible student may enter into a separate agreement under subsection (a) for
12 each child of the parent. However, not more than one (1) account may be established for each
13 eligible student.
14 (c) The account must be established under subsection (a) by a parent of an eligible student or an
15 emancipated eligible student for a school year on or before a date established by the treasurer of
16 state, which must be at least thirty (30) days before the fall ADM count date established by the state
17 board under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may
18 not enter into an agreement under this section or maintain an account under this chapter if the
19 eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible
20 student may not receive a grant under section 3 of this chapter if the eligible student is currently
21 included in a school corporation's ADM count under IC 20-43-4.
22 (d) Except as provided in subsections (e) and (f), an agreement made under this section is valid
23 for one (1) school year while the eligible student is in kindergarten through grade 12 and may be
24 renewed annually, and money in the account at the end of the school year remains in the account.
25 Upon graduation or receipt of a certificate of completion under the eligible student's individualized
26 education program, the parent of an eligible student or an emancipated eligible student shall
27 annually renew the account and may elect to keep the account open until the money in the account
28 is depleted or the account is terminated. However, money in the account may not be used for
29 anything other than qualified expenses.
30 (e) An agreement entered into under this section terminates automatically for an eligible student
31 if:
32 (1) the eligible student no longer resides in Indiana while the eligible student is eligible to
33 receive grants under section 2 of this chapter; or
34 (2) the account is not renewed within three hundred ninety-five (395) days after the date the
35 account was either established or last renewed.
36 If an account is terminated under this section, money in the eligible student's account, including any
37 interest accrued, reverts to the state tuition reserve account.
38 (f) An agreement made under this section for an eligible student while the eligible student is in
39 kindergarten through grade 12 may be terminated before the end of the school year if the parent
40 of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner
41 specified by the treasurer of state.
42 (g) A distribution made to an account under section 3 of this chapter is considered tax exempt
43 as long as the distribution is used for a qualified expense. The amount is subtracted from the
44 definition of adjusted income under IC 6-3-1-3.5 to the extent the distribution used for the qualified
45 expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue
46 Code.
47 (h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each



1 eligible student. The treasurer of state shall provide the department information necessary for the
2 department to comply with this subsection.

3 Sec. 2. (a) An eligible student who currently maintains an account is entitled to an annual grant
4 amount for each school year until the student graduates or obtains a certificate of completion under
5 the student's individualized education program. An eligible student may not receive a grant under
6 this section after graduating or obtaining a certificate of completion. The annual grant amount shall
7 be paid from the amount appropriated as state tuition support under IC 20-43-2-1. The treasurer
8 of state, with notice to the department, shall deposit the annual grant amount under this section,
9 in quarterly deposits, into an eligible student's account in a manner established by the treasurer of
10 state. The treasurer of state may deduct an amount of not more than one and five-tenths percent
11 (1.5%) from each quarterly distribution to accounts under this article to cover the costs of
12 managing the accounts and administering the program. However, the amount deducted under this
13 subsection may not exceed a maximum annual fee amount of two hundred fifty thousand dollars
14 (\$250,000). The administrative fees collected under this subsection must be reduced proportionately
15 in a manner necessary to comply with the maximum annual fee amount requirements.

16 (b) At the end of the year in which an account is established, the parent of an eligible student or
17 the emancipated eligible student may roll over for use in a subsequent year a maximum of two
18 thousand dollars (\$2,000). However, for each year thereafter, the parent of the eligible student or
19 the emancipated student may roll over two thousand dollars (\$2,000) plus any amount rolled over
20 in a previous year.

21 Sec. 3. (a) Subject to sections 4 and 11 of this chapter, the annual grant amount under section
22 2 of this chapter for an eligible student equals, subject to subsection (b), ninety percent (90%) of
23 the amount determined in the last STEP of the following formula:

24 STEP ONE: Determine the school corporation in which the eligible student has legal
25 settlement.

26 STEP TWO: Determine the amount of state tuition support that the school corporation
27 identified under STEP ONE is eligible to receive under IC 20-43-6 for the state fiscal year in
28 which the immediately preceding school year begins. The amount does not include amounts
29 provided for special education grants under IC 20-43-7, career and technical education grants
30 under IC 20-43-8, or grants under IC 20-43-10.

31 STEP THREE: Determine the result of:

32 (A) the STEP TWO amount; divided by

33 (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified
34 under STEP ONE for the state fiscal year used in STEP TWO.

35 (b) An eligible student may choose to receive special education services from the school
36 corporation required to provide the special education services to the eligible student under 511
37 IAC 7-34-1. However, if an eligible student described in subsection (a) chooses not to receive special
38 education or related services from a school corporation required to provide the services to the
39 eligible student under 511 IAC 7-34-1, the annual grant amount for the eligible student shall, in
40 addition to the amount described in subsection (a), include the amount the school corporation would
41 receive under IC 20-43-7 for the eligible student if the eligible student attended the school
42 corporation.

43 (c) The annual grant amounts provided in subsection (a) shall be rounded as provided in
44 IC 20-43-3-1(4).

45 Sec. 4. If an eligible student's agreement under section 1 of this chapter is in effect for less than
46 an entire school year, the annual grant amount provided under section 2 of this chapter for that
47 school year shall be reduced on a prorated basis in a manner prescribed by the treasurer of state



1 to reflect the length of the agreement. In the event an eligible student's account is terminated
2 because the eligible student enrolls in a school that receives tuition support under IC 20-43, the
3 balance in the account at the time the account is terminated shall be transferred to the school
4 corporation or charter school in which the eligible student enrolls.

5 Sec. 5. Upon entering into or renewing an agreement under this chapter, the treasurer of state
6 shall provide to the parent of an eligible student or an emancipated eligible student a written
7 explanation of the authorized uses of the money in the account and the responsibilities of the parent
8 of an eligible student or an emancipated eligible student and the treasurer of state regarding an
9 account established under section 1 of this chapter.

10 Sec. 6. This chapter does not prohibit a parent of an eligible student or an emancipated eligible
11 student from making a payment for any qualified expense from a source other than the eligible
12 student's account. The parent of an eligible student or an emancipated eligible student is responsible
13 for the payment of any tuition required by a qualified school that is not paid from the eligible
14 student's account.

15 Sec. 7. A parent of an eligible student or an emancipated eligible student may use not more than
16 seven hundred fifty dollars (\$750) of the annual grant amount received under this chapter each
17 school year for fees for transportation paid to a fee-for-service transportation provider for the
18 eligible student to travel to and from an approved service provider. However, the treasurer of state,
19 in consultation with the department, shall establish criteria and a process by which a parent of an
20 eligible student described in IC 20-51.4-2-6(3)(A) may receive a waiver from the limit imposed on
21 transportation fees under this section.

22 Sec. 8. (a) A participating entity that receives a payment for a qualified expense may not:

- 23 (1) refund any part of the payment to the parent of the eligible student or the emancipated
24 eligible student unless the refund is for an item that has been returned to the place of original
25 purchase or is for an item or service that has not been provided by the participating entity; or
26 (2) rebate or otherwise share any part of the payment with the parent of the eligible student
27 or the emancipated eligible student who made the payment.

28 (b) A parent of an eligible student or an emancipated eligible student who receives a refund
29 under subsection (a) shall deposit the refund into the account from which the money was paid.

30 Sec. 9. (a) The treasurer of state shall freeze the account established under section 1 of this
31 chapter of any parent of an eligible student or an emancipated eligible student who:

- 32 (1) fails to comply with the terms of the agreement established under section 1 of this chapter;
33 (2) fails to comply with applicable laws or regulations; or
34 (3) substantially misuses funds in the account.

35 (b) The treasurer of state shall send written notice to the parent of the eligible student or the
36 emancipated eligible student stating the reason for the freeze under subsection (a). The treasurer
37 of state may also send notice to the attorney general or the prosecuting attorney in the county in
38 which the parent of the eligible student or the emancipated eligible student resides if the treasurer
39 of state believes a crime has been committed or a civil action relating to the account is necessary.

40 (c) A parent of an eligible student or an emancipated eligible student whose account has been
41 frozen under subsection (a) may petition the treasurer of state for redetermination of the decision
42 under subsection (a) within thirty (30) days after the date the treasurer of state sends notice to the
43 parent of the eligible student or the emancipated eligible student under subsection (b). The petition
44 must contain a written explanation stating why the treasurer of state was incorrect in freezing the
45 account under subsection (a). If the treasurer of state does not receive a timely submitted petition
46 from a parent of an eligible student or an emancipated eligible student under this subsection, the
47 treasurer of state shall terminate the account.



1 (d) The treasurer of state shall review a petition received under subsection (c) within fifteen (15)
2 business days of receipt of the petition and issue a redetermination letter to the parent of the eligible
3 student or the emancipated eligible student. If the treasurer of state overturns the treasurer of
4 state's initial decision under subsection (a), the treasurer of state shall immediately unfreeze the
5 account. If the treasurer of state affirms the decision under subsection (a), the treasurer of state
6 shall give notice of the affirmation to the parent of the eligible student or the emancipated eligible
7 student and terminate the account.

8 Sec. 10. Notwithstanding 511 IAC 7-34-1(d)(4), a public school is not required to make available
9 special education and related services to an eligible student if the eligible student receives funds
10 under section 2 of this chapter and the special education services are provided to the eligible student
11 by the participating entity. This section may not be construed as a restriction or limitation on any
12 of the rights, benefits, and protections granted to an individual under the federal Individuals with
13 Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 et seq.).

14 Sec. 11. Distributions made to an account under section 2 of this chapter or money in the account
15 may not be treated as income or a resource for purposes of qualifying for any other federal or state
16 grant or program administered by the state or a political subdivision.

17 Chapter 5. Participating Entities

18 Sec. 1. It is the intent of the general assembly to honor the autonomy of nonpublic schools that
19 choose and are authorized to become participating entities under this article. A nonpublic eligible
20 school is not an agent of the state or federal government, and therefore:

21 (1) the treasurer of state, state board, department, or any other state agency may not in any
22 way regulate the educational program of a nonpublic school that accepts money from an
23 account under this article, including the regulation of curriculum content, religious instruction
24 or activities, classroom teaching, teacher and staff hiring requirements, and other activities
25 carried out by the nonpublic school;

26 (2) the creation of the program does not expand the regulatory authority of the state or the
27 state's officers to impose additional regulation of nonpublic schools beyond those necessary
28 to enforce the requirements of the program; and

29 (3) an accredited nonpublic school that is a participating entity may provide for the
30 educational needs of students without governmental control.

31 Sec. 2. (a) The following individuals or entities may become a participating entity by submitting
32 an application to the treasurer of state in a manner prescribed by the treasurer of state:

33 (1) A qualified school.

34 (2) An approved postsecondary educational institution.

35 (3) An individual who or tutoring agency that provides private tutoring.

36 (4) An individual who or entity that provides services to a student with a disability in
37 accordance with an individualized education program developed under IC 20-35 or a service
38 plan developed under 511 IAC 7-34 or generally accepted standards of care prescribed by the
39 eligible student's treating physician.

40 (5) An individual who or entity that offers a course, program, or distance learning program
41 to an eligible student.

42 (6) A licensed occupational therapist.

43 (b) The treasurer of state shall approve an application submitted under subsection (a) if the
44 individual or entity meets the criteria to serve as a participating entity.

45 (c) If it is reasonably expected by the treasurer of state that a participating entity will receive,
46 from payments made under the program, more than fifty thousand dollars (\$50,000) during a
47 particular school year, the participating entity shall, on or before a date prescribed by the treasurer



1 of state:

2 (1) post a surety bond in an amount equal to the amount expected to be paid to the
3 participating entity under the program for the particular school year; or

4 (2) provide the treasurer of state evidence, in a manner prescribed by the treasurer of state,
5 indicating that the participating entity has unencumbered assets sufficient to pay the treasurer
6 of state an amount equal to the amount expected to be paid to the participating entity under
7 the program during the particular school year.

8 (d) Each participating entity that accepts payments made from an account under this article
9 shall provide a receipt to the parent of an eligible student or to the emancipated eligible student for
10 each payment made.

11 Sec. 3. (a) Each qualified school that is a participating entity that accepts payments for tuition
12 and fees made from an account under the program shall administer to its eligible students the
13 statewide assessment or an assessment that is correlated to the statewide assessment unless
14 otherwise prescribed by the eligible student's:

15 (1) individualized education program;

16 (2) service plan developed under 511 IAC 7-34;

17 (3) choice special education plan developed under 511 IAC 7-49; or

18 (4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

19 (b) Upon receipt of the statewide assessment or an assessment that is correlated to the statewide
20 assessment test results, the department shall, subject to the federal Family Educational Rights and
21 Privacy Act (20 U.S.C. 1232g) and any regulations adopted under that act:

22 (1) aggregate the statewide assessment or an assessment that is correlated to the statewide
23 assessment test results according to the grade level, gender, race, and family income level of
24 all eligible students; and

25 (2) make the results determined under subdivision (1) available on the department's Internet
26 web site.

27 Sec. 4. (a) The treasurer of state may refuse to allow a participating entity to continue
28 participation in the program and revoke the participating entity's status as a participating entity
29 if the treasurer of state determines that the participating entity accepts payments made from an
30 account under this article and:

31 (1) has failed to provide any educational service required by state or federal law to an eligible
32 student receiving instruction from the participating entity; or

33 (2) has routinely failed to meet the requirements of a participating entity under the program.

34 (b) If the treasurer of state revokes a participating entity's status as a participating entity in the
35 program, the treasurer of state shall provide notice of the revocation within thirty (30) days of the
36 revocation to each parent of an eligible student and to each emancipated eligible student receiving
37 instruction from the participating entity who has paid the participating entity from the eligible
38 student's account.

39 (c) The treasurer of state may permit a former participating entity described in subsection (a)
40 to reapply with the treasurer of state for authorization to be a participating entity on a date
41 established by the treasurer of state, which may not be earlier than one (1) year after the date on
42 which the former participating entity's status as a participating entity was revoked under
43 subsection (a). The treasurer of state may establish reasonable criteria or requirements that the
44 former participating entity must meet before being reapproved by the treasurer of state as a
45 participating entity.

46 Sec. 5. An approved participating entity:

47 (1) may not charge an eligible student participating in the program an amount greater than



1 a similarly situated student who is receiving the same or similar services; and
2 (2) shall provide a receipt to a parent of an eligible student or an emancipated eligible student
3 for each qualified expense charged for education or related services provided to the eligible
4 student.

5 Sec. 6. The treasurer of state shall annually make available on the treasurer of state's Internet
6 web site a list of participating entities.

7 Chapter 6. Rulemaking

8 Sec. 1. (a) The treasurer of state shall adopt rules under IC 4-22-2 necessary to administer this
9 article.

10 (b) The state board shall adopt rules under IC 4-22-2 to establish a procedure to establish an
11 Indiana education scholarship account education service plan for an eligible student defined in
12 IC 20-51.4-2-6(3)(A).

13 SECTION 130. IC 21-18.5-4-3, AS AMENDED BY P.L.81-2019, SECTION 11, IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. For purposes of administering this chapter,
15 the commission shall do the following:

16 (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2,
17 IC 21-12-3, and IC 21-12-4.

18 (2) Prescribe the form and regulate the submission of applications for higher education awards and
19 the commission's programs.

20 (3) Conduct conferences and interviews with applicants as appropriate.

21 (4) Determine the eligibility of applicants.

22 (5) Select qualified applicants.

23 (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice
24 award (IC 21-12-4), **with any increases** subject to approval by the budget agency. ~~with review by~~
25 ~~the budget committee.~~

26 (7) Determine the respective amounts of, and award, the appropriate higher education awards,
27 grants, and scholarships.

28 (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and
29 scholarships.

30 (9) Act as the designated state agency for participation in any federal program for reinsurance of
31 student loans.

32 (10) Receive federal funds made available to the commission for awards, grants, and scholarships,
33 and disburse these funds in the manner prescribed by federal law.

34 (11) One (1) time every year, submit a report to the legislative council that provides data and
35 statistical information regarding the number of individuals who received assistance under IC 21-12-6
36 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under
37 IC 5-14-6.

38 (12) One (1) time every year, submit a report to the budget committee that provides data and
39 statistical information regarding the number of individuals who received assistance under IC 21-12,
40 IC 21-13, and IC 21-14.

41 SECTION 131. IC 33-34-8-3, AS AMENDED BY P.L.39-2017, SECTION 2, IS AMENDED TO
42 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Payment for all costs made as a result
43 of proceedings in a small claims court shall be to the _____ Township of Marion County Small Claims
44 Court (with the name of the township inserted). The court shall issue a receipt for all money received on
45 a form numbered serially in duplicate.

46 (b) This subsection applies only to a low caseload court (as defined in section 5 of this chapter). All
47 township docket fees and late fees received by the court shall be paid to the township trustee at the close



1 of each month.

2 (c) This subsection does not apply to a low caseload court. This subsection applies to all other
3 township small claims courts in Marion County. One dollar and fifty cents (\$1.50) of the township docket
4 fee shall be paid to the township trustee of each low caseload court at the end of each month. The
5 remaining township docket fees and late fees received by the court shall be paid to the township trustee
6 at the close of each month.

7 (d) The court shall:

8 (1) semiannually distribute to the auditor of state:

9 (A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the
10 homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund
11 established under IC 33-37-9;

12 (B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for
13 deposit in the state general fund;

14 (C) sixty percent (60%) of all court administration fees collected by the court under
15 IC 33-37-5-27 for deposit in the state general fund;

16 (D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit
17 in the judicial branch insurance adjustment account established by IC 33-38-5-8.2; **the state
18 general fund.**

19 (E) seventy-five percent (75%) of all judicial salaries fees collected by the court under
20 IC 33-37-5-26 for deposit in the state general fund; and

21 (F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022,
22 by the court under IC 33-37-5-31; and

23 (2) distribute monthly to the county auditor all document storage fees received by the court.

24 The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall
25 be deposited monthly in the township general fund of the township in which the court is located. The
26 county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund
27 under IC 33-37-5-2.

28 (e) The court semiannually shall pay to the township trustee of the township in which the court is
29 located the remaining forty percent (40%) of the court administration fees described under subsection
30 (d)(1)(C) to fund the operations of the small claims court in the trustee's township.

31 SECTION 132. IC 33-37-5-25, AS AMENDED BY P.L.1-2006, SECTION 510, IS AMENDED TO
32 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 25. (a) This subsection does not apply to the
33 following:

34 (1) A criminal proceeding.

35 (2) A proceeding to enforce a statute defining an infraction.

36 (3) A proceeding for an ordinance violation.

37 In each action filed in a court described in IC 33-37-1-1, the clerk shall collect a judicial insurance
38 adjustment fee of one dollar (\$1) **and deposit the amount collected in the state general fund.**

39 (b) In each action in which a person is:

40 (1) convicted of an offense;

41 (2) required to pay a pretrial diversion fee;

42 (3) found to have committed an infraction; or

43 (4) found to have violated an ordinance;

44 the clerk shall collect a judicial insurance adjustment fee of one dollar (\$1) **and deposit the amount
45 collected in the state general fund.**

46 SECTION 133. IC 33-37-7-2, AS AMENDED BY P.L.156-2020, SECTION 124, IS AMENDED TO
47 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The clerk of a circuit court shall



1 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection
2 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees
3 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a
4 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under
5 IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees
6 collected under the following:

- 7 (1) IC 33-37-4-1(a) (criminal costs fees).
- 8 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 9 (3) IC 33-37-4-3(a) (juvenile costs fees).
- 10 (4) IC 33-37-4-4(a) (civil costs fees).
- 11 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 12 (6) IC 33-37-4-7(a) (probate costs fees).
- 13 (7) IC 33-37-5-17 (deferred prosecution fees).

14 (b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the
15 state user fee fund established in IC 33-37-9-2 the following:

- 16 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees
17 collected under IC 33-37-4-1(b)(5).
- 18 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under
19 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 20 (3) One hundred percent (100%) of the child abuse prevention fees collected under
21 IC 33-37-4-1(b)(7).
- 22 (4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected
23 under IC 33-37-4-1(b)(8).
- 24 (5) One hundred percent (100%) of the highway worksite zone fees collected under
25 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- 26 (6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.
- 27 (7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21
28 not distributed under subsection (a).

29 (c) The clerk of a circuit court shall distribute monthly to the county auditor the following:

- 30 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees
31 collected under IC 33-37-4-1(b)(5).
- 32 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under
33 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

34 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free
35 community fund established under IC 5-2-11.

36 (d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent
37 (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees
38 distributed by a clerk under this subsection as follows:

- 39 (1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall
40 deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under
41 IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.
- 42 (2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county
43 auditor shall deposit all the fees in the county general fund.

44 (e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the
45 sexual assault victims assistance fund established by IC 5-2-6-23(d) one hundred percent (100%) of the
46 sexual assault victims assistance fees collected under IC 33-37-5-23.

47 (f) The clerk of a circuit court shall distribute monthly to the county auditor the following:



1 (1) One hundred percent (100%) of the support and maintenance fees for cases designated as
2 non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or
3 the successor statewide automated support enforcement system collected under IC 33-37-5-6.

4 (2) The percentage share of the support and maintenance fees for cases designated as Title IV-D
5 child support cases in ISETS or the successor statewide automated support enforcement system
6 collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation
7 rate.

8 The county clerk shall distribute monthly to the department of child services the percentage share of the
9 support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the
10 successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not
11 reimbursable to the county at the applicable federal financial participation rate.

12 (g) The clerk of a circuit court shall distribute monthly to the county auditor the following:

13 (1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or
14 IC 33-37-4-6(a)(2) for deposit in the county general fund.

15 (2) One hundred percent (100%) of the small claims garnishee service fee under
16 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.

17 (3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in
18 the county general fund.

19 (h) This subsection does not apply to court administration fees collected in small claims actions filed
20 in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor
21 of state for deposit in the state general fund one hundred percent (100%) of the following:

22 (1) The public defense administration fee collected under IC 33-37-5-21.2.

23 (2) The judicial salaries fees collected under IC 33-37-5-26.

24 (3) The DNA sample processing fees collected under IC 33-37-5-26.2.

25 (4) The court administration fees collected under IC 33-37-5-27.

26 **(5) The judicial insurance adjustment fee collected under IC 33-37-5-25.**

27 ~~(i) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the~~
28 ~~judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%)~~
29 ~~of the judicial insurance adjustment fee collected under IC 33-37-5-25.~~

30 ~~(j) (i)~~ The proceeds of the service fee collected under IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall
31 be distributed as follows:

32 (1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit,
33 superior, county, or probate court to the county auditor for deposit in the county general fund.

34 (2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or
35 town court to the city or town fiscal officer for deposit in the city or town general fund.

36 ~~(k) (j)~~ The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or
37 IC 33-37-5-28(b)(4) shall be distributed as follows:

38 (1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in
39 a circuit, superior, county, or probate court to the county auditor for deposit in the county general
40 fund.

41 (2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in
42 a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

43 ~~(l) (k)~~ The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in
44 the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the
45 following:

46 (1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before
47 its expiration on July 1, 2017).



1 (2) Any civil penalties imposed and collected by a court for a violation of a court order in a
2 foreclosure action under IC 32-30-10.5.

3 ~~(m)~~ (l) The clerk of a circuit court shall distribute semiannually to the auditor of state one hundred
4 percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.
5 The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar
6 Foundation (or a successor entity) as the entity designated to organize and administer the interest on
7 lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the
8 Indiana supreme court. The Indiana Bar Foundation shall:

9 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation
10 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages
11 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

12 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish
13 approved pro bono legal services programs.

14 The handling and expenditure of the pro bono legal services fees received under this section by the
15 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The
16 amounts necessary to make the transfers required by this subsection are appropriated from the state
17 general fund.

18 SECTION 134. IC 33-37-7-8, AS AMENDED BY P.L.144-2019, SECTION 19, IS AMENDED TO
19 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The clerk of a city or town court shall
20 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection
21 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees
22 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a
23 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under
24 IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees
25 collected under the following:

26 (1) IC 33-37-4-1(a) (criminal costs fees).

27 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

28 (3) IC 33-37-4-4(a) (civil costs fees).

29 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

30 (5) IC 33-37-5-17 (deferred prosecution fees).

31 (b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share
32 twenty percent (20%) of the amount of fees collected under the following:

33 (1) IC 33-37-4-1(a) (criminal costs fees).

34 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

35 (3) IC 33-37-4-4(a) (civil costs fees).

36 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

37 (5) IC 33-37-5-17 (deferred prosecution fees).

38 (c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of
39 the fees collected under the following:

40 (1) IC 33-37-4-1(a) (criminal costs fees).

41 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

42 (3) IC 33-37-4-4(a) (civil costs fees).

43 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

44 (5) IC 33-37-5-17 (deferred prosecution fees).

45 (d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in
46 the state user fee fund established in IC 33-37-9 the following:

47 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees



1 collected under IC 33-37-4-1(b)(5).

2 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under
3 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

4 (3) One hundred percent (100%) of the highway worksite zone fees collected under
5 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

6 (4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.

7 (5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21
8 not distributed under subsection (a).

9 (e) The clerk of a city or town court shall distribute monthly to the county auditor the following:
10 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees
11 collected under IC 33-37-4-1(b)(5).

12 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under
13 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

14 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free
15 community fund established under IC 5-2-11.

16 (f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined
17 in IC 36-1-2-7) one hundred percent (100%) of the following:
18 (1) The late payment fees collected under IC 33-37-5-22.
19 (2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
20 (3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or
21 IC 33-37-4-6(a)(3).
22 (4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.

23 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under
24 this subsection in the city or town general fund.

25 (g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in
26 the state general fund one hundred percent (100%) of the following:
27 (1) The public defense administration fee collected under IC 33-37-5-21.2.
28 (2) The DNA sample processing fees collected under IC 33-37-5-26.2.
29 (3) The court administration fees collected under IC 33-37-5-27.
30 **(4) The judicial insurance adjustment fee collected under IC 33-37-5-25.**

31 ~~(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in
32 the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent
33 (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.~~

34 **(†) (h)** The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit
35 in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under
36 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries
37 fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city
38 or town court operations.

39 **(†) (i)** The clerk of a city or town court shall distribute semiannually to the auditor of state one hundred
40 percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.
41 The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar
42 Foundation (or a successor entity) as the entity designated to organize and administer the interest on
43 lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the
44 Indiana supreme court. The Indiana Bar Foundation shall:
45 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation
46 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages
47 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and



1 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish
2 approved pro bono legal services programs.

3 The handling and expenditure of the pro bono legal services fees received under this section by the
4 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The
5 amounts necessary to make the transfers required by this subsection are appropriated from the state
6 general fund.

7 SECTION 135. IC 33-38-5-8.2, AS AMENDED BY P.L.2-2005, SECTION 110, IS AMENDED TO
8 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.2. (a) ~~As used in this section, "account"~~
9 ~~refers to the judicial branch insurance adjustment account established by subsection (d):~~

10 (b) As used in this section, "employees of the judicial branch" includes the following:

11 (1) Each judge described in section 6 of this chapter.

12 (2) Each magistrate:

13 (A) described in section 7 of this chapter; and

14 (B) receiving a salary under IC 33-23-5-10.

15 (3) Each justice and judge described in section 8 of this chapter.

16 (4) The judge described in IC 33-26.

17 (5) A prosecuting attorney whose entire salary is paid by the state.

18 (c) ~~(b)~~ Employees of the judicial branch are entitled to a health care adjustment in any year that the
19 governor provides a health care adjustment to employees of the executive branch.

20 (d) ~~The judicial branch insurance adjustment account within the state general fund is established for~~
21 ~~the purpose of providing health care adjustments under subsection (c). The account shall be administered~~
22 ~~by the supreme court.~~

23 (e) ~~The expenses of administering the account shall be paid from money in the account.~~

24 (f) ~~The treasurer of state shall invest the money in the account not currently needed to meet the~~
25 ~~obligations of the account in the same manner as other public money may be invested. Interest that~~
26 ~~accrues from these investments shall be deposited in the account.~~

27 (g) ~~Money in the account at the end of a state fiscal year does not revert to the state general fund.~~

28 (h) ~~Money in the account is annually appropriated to the supreme court for the purpose of this section.~~

29 (i) ~~If the funds appropriated for compliance with this section are insufficient, there is annually~~
30 ~~appropriated from the state general fund sufficient funds to carry out the purpose of this section.~~

31 SECTION 136. IC 35-52-6-56.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO**
32 **READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 56.1. IC 6-7-4-9 defines a crime concerning**
33 **the electronic cigarette tax.**

34 SECTION 137. IC 35-52-6-56.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO**
35 **READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 56.2. IC 6-7-4-10 defines a crime concerning**
36 **the electronic cigarette tax.**

37 SECTION 138. IC 36-7.6-3-5, AS AMENDED BY P.L.237-2017, SECTION 48, IS AMENDED TO
38 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A development authority shall
39 prepare a comprehensive strategic development plan that includes detailed information concerning the
40 following:

41 (1) The proposed projects to be undertaken or financed by the development authority.

42 (2) The following information for each project included under subdivision (1):

43 (A) Timeline and budget.

44 (B) The return on investment.

45 (C) The projected or expected need for an ongoing subsidy.

46 (D) Any projected or expected federal matching funds.

47 (b) The development authority shall, not later than January 1 of the second year following the year in



1 which the development authority is established, submit the comprehensive strategic development plan
2 for review by the budget committee and approval by the director of the office of management and budget
3 and the Indiana economic development corporation. However, a development authority that has already
4 submitted its comprehensive strategic development plan as part of an application for a grant or a loan
5 under IC 5-28-37 (before its repeal) or IC 5-28-38 (**before its repeal**) is not required to resubmit its
6 comprehensive strategic development plan under this subsection.

7 SECTION 139. P.L.108-2019, SECTION 249, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JUNE 29, 2021]: SECTION 249. (a) The definitions of "vacation leave", "sick leave", and
9 other types of leave used on July 1, 2010, by the department apply to this SECTION.

10 (b) As used in this SECTION, "department" refers to the state personnel department established by
11 IC 4-15-2.2-13.

12 (c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under
13 subsection (d).

14 (d) The personnel committee of the legislative council for the legislative branch of state government
15 or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot
16 program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION
17 10 (before its expiration), including provisions adopted by:

- 18 (1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;
- 19 (2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher
20 of the Indiana Register on October 16, 2006, to govern the pilot program; or
- 21 (3) the auditor of state to administer the pilot program.

22 (e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the
23 legislative council or the Indiana supreme court, or both, may adopt procedures to implement and
24 administer the pilot program, including provisions established or reestablished under subsection (d).

25 (f) The auditor of state shall provide for the administration of the pilot program.

26 (g) This SECTION expires June 30, ~~2021~~ **2023**.

27 SECTION 140. [EFFECTIVE UPON PASSAGE] **(a) One hundred ten million dollars**
28 **(\$110,000,000) is appropriated from the state general fund to the budget agency for the state fiscal**
29 **year ending June 30, 2021, to defease any remaining bonds issued by the state office building**
30 **commission, the recreational development commission, or the state fair commission.**

31 **(b) Money appropriated under this section may not be used for any other purpose.**

32 **(c) This SECTION expires June 30, 2022.**

33 SECTION 141. [EFFECTIVE UPON PASSAGE] **(a) For the state fiscal year beginning July 1,**
34 **2020, and ending June 30, 2021, the budget agency may augment the county jail maintenance**
35 **contingency fund appropriation from the state general fund by an amount necessary to cover jail**
36 **and parole holds. Any augmentation may only be used to pay for additional jail and parole holds**
37 **and may not be used to provide additional funding to sheriffs for persons convicted of Level 6**
38 **felonies or to increase the jail and parole hold per diem above thirty-seven dollars and fifty cents**
39 **(\$37.50).**

40 **(b) This SECTION expires June 30, 2022.**

41 SECTION 142. [EFFECTIVE JULY 1, 2021] **(a) The following definitions apply throughout this**
42 **SECTION:**

- 43 (1) "Department" means the Indiana department of gaming research established by
44 IC 4-33-18-2, before its amendment by this act.
- 45 (2) "Commission" means the Indiana gaming commission established under IC 4-33.
- 46 (3) "Gaming research division" means the gaming research division of the commission
47 established by IC 4-33-18-2, as amended by this act.



1 (b) On July 1, 2021, all functions, powers, authorities, duties, agreements, and liabilities of the
2 department are transferred to the gaming research division.

3 (c) On July 1, 2021, all records, property, and funds under the control of the department are
4 transferred to the gaming research division.

5 (d) Employees of the department on June 30, 2021, become employees of the gaming research
6 division on July 1, 2021.

7 (e) After June 30, 2021, a reference to the department in any statute, rule, or other document is
8 considered a reference to the gaming research division.

9 SECTION 143. [EFFECTIVE UPON PASSAGE] (a) Any balance in the exoneration fund
10 established by IC 5-2-23-7, as repealed by this act, shall be transferred to the state general fund on
11 June 30, 2021.

12 (b) This SECTION expires July 1, 2021.

13 SECTION 144. [EFFECTIVE UPON PASSAGE] (a) Any balance in the judicial branch insurance
14 adjustment account established by IC 33-38-5-8.2(d), before its elimination by this act, shall be
15 transferred to the state general fund on June 30, 2021.

16 (b) This SECTION expires July 1, 2021.

17 SECTION 145. P.L.108-2019, SECTION 255, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE UPON PASSAGE]: SECTION 255. (a) Notwithstanding IC 4-13-2-19 or any other law,
19 any part of an appropriation made for the legislative council and the legislative services agency, in a state
20 fiscal year beginning after June 30, 2018, and ending before July 1, ~~2020~~, **2022**, that is unexpended and
21 unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general
22 revenue fund but remains available for expenditure during either state fiscal year in ~~the~~ a biennium
23 beginning ~~July 1, 2019~~, **after June 30, 2019**, and ending ~~June 30, 2021~~. **before July 1, 2023**. The
24 unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act
25 for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of
26 the legislative services agency, for the total operating expenses of the legislative council or the legislative
27 services agency, or both.

28 (b) This SECTION expires ~~June 30, 2021~~. **July 1, 2023**.

29 SECTION 146. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr Speaker: Your Committee on Ways and Means, to which was referred House Bill No. 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1001 as introduced.)

BROWN T

Committee Vote: Yeas 16, Nays 8

