



Reprinted  
February 18, 2021

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## HOUSE BILL No. 1001

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DIGEST OF HB 1001 (Updated February 17, 2021 7:06 pm - 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.

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## Brown T, Porter, Cherry, Sullivan

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January 14, 2021, read first time and referred to Committee on Ways and Means.  
February 15, 2021, amended, reported—Do Pass.  
February 17, 2021, read second time, amended, ordered engrossed.

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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.



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

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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]

2

3 (a) The following definitions apply throughout this act:

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

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

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

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

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



- 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.

8  
9      **SECTION 2. [EFFECTIVE JULY 1, 2021]**

10  
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.

17  
18      In this act, whenever there is no specific fund or account designated, the  
19      appropriation is from the general fund.

20  
21      **SECTION 3. [EFFECTIVE JULY 1, 2021]**

22  
23      **GENERAL GOVERNMENT**

24  
25      **A. LEGISLATIVE**

26  
27      **FOR THE GENERAL ASSEMBLY**

28 <b>LEGISLATORS' SALARIES - HOUSE</b>		
29          Total Operating Expense	8,373,634	8,373,634
30 <b>HOUSE EXPENSES</b>		
31          Total Operating Expense	11,393,610	11,393,610
32 <b>LEGISLATORS' SALARIES - SENATE</b>		
33          Total Operating Expense	2,449,000	2,545,000
34 <b>SENATE EXPENSES</b>		
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.

2  
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:  
36 (1) the legislative business per diem allowance for each day the member is engaged  
37 in approved out-of-state travel; and  
38 (2) reimbursement for traveling expenses actually incurred in connection with the  
39 member's duties, as provided in the state travel policies and procedures established  
40 by the legislative council.

41  
42 Notwithstanding the provisions of this or any other statute, the legislative council  
43 may adopt, by resolution, travel policies and procedures that apply only to members  
44 of the general assembly or to the staffs of the house of representatives, senate, and  
45 legislative services agency, or both members and staffs. The legislative council may  
46 apply these travel policies and procedures to lay members serving on research, study,  
47 or survey committees or commissions that are under the jurisdiction of the legislative  
48 council. Notwithstanding any other law, rule, or policy, the state travel policies and  
49 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.

22  
23 **LEGISLATORS' SUBSISTENCE**

24 **LEGISLATORS' EXPENSES - HOUSE**

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

Total Operating Expense	1,482,000	1,470,000
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28  
29 Each member of the general assembly is entitled to a subsistence allowance of forty  
30 percent (40%) of the maximum daily amount allowable to employees of the executive  
31 branch of the federal government for subsistence expenses while away from home in  
32 travel status in the Indianapolis area for:

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

37  
38 However, the subsistence allowance under subdivision (2) may not be paid with respect  
39 to any day after the first session day held in November and before the first session  
40 day held in January with respect to which all members of the general assembly are  
41 entitled to a legislative business per diem.

42  
43 The subsistence allowance is payable from the appropriations for legislators' subsistence.

44  
45 The officers of the senate are entitled to the following amounts annually in addition  
46 to the subsistence allowance: president pro tempore, \$7,000; assistant president  
47 pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader(s),  
48 \$3,500; majority floor leader emeritus, \$2,500; majority caucus chair, \$5,500;  
49 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.  
 22

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.

2  
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**

Total Operating Expense	17,391,754	17,539,785
<b>LEGISLATOR AND LAY MEMBER TRAVEL</b>		
Total Operating Expense	600,000	700,000

19  
20  
21  
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.



1  
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 <b>Other Operating Expense</b>	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 <b>Other Operating Expense</b>	589,537	609,975
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43  
44 **FOR THE COMMISSION ON UNIFORM STATE LAWS**

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

48 <b>Total Operating Expense</b>	362,273	399,238
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1	<b>FOR THE INDIANA PUBLIC RETIREMENT SYSTEM</b>		
2	<b>LEGISLATORS' RETIREMENT FUND</b>		
3	Total Operating Expense	182,512	182,512
4			
5	<b>B. JUDICIAL</b>		
6			
7	<b>FOR THE SUPREME COURT</b>		
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	<b>LOCAL JUDGES' SALARIES</b>		
15	Total Operating Expense	75,897,094	75,897,094
16	<b>COUNTY PROSECUTORS' SALARIES</b>		
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	<b>SUPREME COURT TITLE IV-D</b>		
23	Total Operating Expense	1,950,000	1,950,000
24	<b>TRIAL COURT OPERATIONS</b>		
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	<b>INDIANA COURT TECHNOLOGY</b>		
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	<b>INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY</b>		
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	<b>GUARDIAN AD LITEM</b>		
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.

4  
 5 **ADULT GUARDIANSHIP**

6 <b>Total Operating Expense</b>	1,500,000	1,500,000
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7  
 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.

18  
 19 **CIVIL LEGAL AID**

20 <b>Total Operating Expense</b>	1,500,000	1,500,000
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21  
 22 The above appropriations include the appropriation provided in IC 33-24-12-7.

23  
 24 **SPECIAL JUDGES - COUNTY COURTS**

25 <b>Total Operating Expense</b>	149,000	149,000
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26  
 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.

31  
 32 **COMMISSION ON RACE AND GENDER FAIRNESS**

33 <b>Total Operating Expense</b>	380,996	380,996
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34 **INTERSTATE COMPACT FOR ADULT OFFENDERS**

35 <b>Total Operating Expense</b>	236,180	236,180
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36 **PROBATION OFFICERS TRAINING**

37 <b>Total Operating Expense</b>	750,000	750,000
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38 **VETERANS PROBLEM-SOLVING COURT**

39 <b>Total Operating Expense</b>	1,000,000	1,000,000
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40 **DRUG AND ALCOHOL PROGRAMS FUND**

41 <b>Total Operating Expense</b>	100,000	100,000
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42  
 43 **FOR THE PUBLIC DEFENDER COMMISSION**

44 <b>Total Operating Expense</b>	25,720,000	25,720,000
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45 **Public Defense Fund (IC 33-40-6)**

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







1	<b>Total Operating Expense</b>	<b>1</b>	<b>1</b>
2	<b>Augmentation allowed.</b>		

3			
4	<b>STATE BUDGET COMMITTEE</b>		
5	<b>Total Operating Expense</b>	<b>86,312</b>	<b>86,312</b>
6	<b>Augmentation allowed.</b>		

7

8 **Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of**  
9 **the budget committee is equal to one hundred fifty percent (150%) of the legislative**  
10 **business per diem allowance.**

11			
12	<b>THIRTEENTH CHECKS</b>		
13	<b>Total Operating Expense</b>	<b>33,800,000</b>	<b>34,400,000</b>

14

15 **Notwithstanding IC 5-10.2-12-2 for the funds that have established supplemental**  
16 **allowance reserve accounts, the above appropriation shall be used to fund thirteenth**  
17 **checks for retired members of the public employees' retirement fund, the teachers'**  
18 **retirement fund, the state excise police, gaming agent, gaming control officer,**  
19 **and conservation enforcement officers' retirement plan, the state police pre-1987**  
20 **benefit system, and the state police 1987 benefit system. In FY 2022 and FY 2023,**  
21 **the budget agency shall transfer to the Indiana public retirement system and the**  
22 **Treasurer of State the amounts determined necessary to fund thirteenth checks as**  
23 **required by a statute or statutes enacted for this purpose by the 122nd General**  
24 **Assembly.**

25			
26	<b>FOR THE INDIANA PUBLIC RETIREMENT SYSTEM</b>		
27	<b>PUBLIC SAFETY PENSION</b>		
28	<b>Total Operating Expense</b>	<b>155,000,000</b>	<b>152,500,000</b>
29	<b>Augmentation allowed.</b>		

30			
31	<b>FOR THE TREASURER OF STATE</b>		
32	<b>Personal Services</b>	<b>1,286,204</b>	<b>1,286,204</b>
33	<b>Other Operating Expense</b>	<b>46,305</b>	<b>46,305</b>
34	<b>ABLE AUTHORITY (IC 12-11-14)</b>		
35	<b>Total Operating Expense</b>	<b>285,500</b>	<b>294,000</b>

36

37 **E. TAX ADMINISTRATION**

38			
39	<b>FOR THE DEPARTMENT OF REVENUE</b>		
40	<b>COLLECTION AND ADMINISTRATION</b>		
41	<b>Personal Services</b>	<b>41,406,274</b>	<b>41,406,274</b>
42	<b>Other Operating Expense</b>	<b>17,697,908</b>	<b>22,497,908</b>

43

44 **With the approval of the governor and the budget agency, the department shall annually**  
45 **reimburse the state general fund for expenses incurred in support of the collection**  
46 **of dedicated fund revenue according to the department's cost allocation plan.**

47

48 **With the approval of the governor and the budget agency, the foregoing sums for**  
49 **the department of state revenue may be augmented to an amount not exceeding in total,**



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
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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
--------------	-----------

22 Gaming Investigations Fund (IC 4-33-4-18(b))

23 1,074,000	1,074,000
--------------	-----------

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
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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
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41 Other Operating Expense	320,000	320,000
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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	<b>Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)</b>		
2	<b>Total Operating Expense</b>	<b>25,500</b>	<b>25,500</b>
3	<b>Augmentation allowed.</b>		
4			
5	<b>FOR THE INDIANA HORSE RACING COMMISSION</b>		
6	<b>Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)</b>		
7	<b>Personal Services</b>	<b>1,873,711</b>	<b>1,873,711</b>
8	<b>Other Operating Expense</b>	<b>409,870</b>	<b>409,870</b>
9			
10	<b>The above appropriations to the Indiana horse racing commission are made from revenues</b>		
11	<b>accruing to the Indiana horse racing commission before any distribution is made</b>		
12	<b>under IC 4-31-9.</b>		
13			
14	<b>STANDARD BRED ADVISORY BOARD</b>		
15	<b>Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)</b>		
16	<b>Total Operating Expense</b>	<b>193,500</b>	<b>193,500</b>
17	<b>Augmentation allowed.</b>		
18			
19	<b>FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE</b>		
20	<b>Personal Services</b>	<b>3,201,090</b>	<b>3,201,090</b>
21	<b>Other Operating Expense</b>	<b>495,111</b>	<b>495,111</b>
22	<b>Assessment Training Fund (IC 6-1.1-5.5-4.7)</b>		
23	<b>Total Operating Expense</b>	<b>540,280</b>	<b>540,280</b>
24	<b>Augmentation allowed.</b>		
25			
26	<b>FOR THE INDIANA BOARD OF TAX REVIEW</b>		
27	<b>Personal Services</b>	<b>1,292,876</b>	<b>1,292,876</b>
28	<b>Other Operating Expense</b>	<b>74,092</b>	<b>74,092</b>
29	<b>Assessment Training Fund (IC 6-1.1-5.5-4.7)</b>		
30	<b>Total Operating Expense</b>	<b>320,628</b>	<b>320,628</b>
31	<b>Augmentation allowed.</b>		
32			
33	<b>F. ADMINISTRATION</b>		
34			
35	<b>FOR THE DEPARTMENT OF ADMINISTRATION</b>		
36	<b>Personal Services</b>	<b>10,153,021</b>	<b>10,153,021</b>
37	<b>Other Operating Expense</b>	<b>11,671,441</b>	<b>11,671,441</b>
38	<b>MOTOR POOL ROTARY FUND</b>		
39	<b>Total Operating Expense</b>	<b>4,882,500</b>	<b>7,875,000</b>
40	<b>Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)</b>		
41	<b>Total Operating Expense</b>	<b>28,000</b>	<b>0</b>
42	<b>Gaming Enforcement Agents (IC 4-35-4-5)</b>		
43	<b>Total Operating Expense</b>	<b>18,980</b>	<b>18,980</b>
44	<b>Charity Gaming Enforcement Fund (IC 4-32.3-7-1)</b>		
45	<b>Total Operating Expense</b>	<b>21,942</b>	<b>21,942</b>
46	<b>Fire and Building Services Fund (IC 22-12-6-1)</b>		
47	<b>Total Operating Expense</b>	<b>345,847</b>	<b>320,053</b>
48	<b>State Highway Fund (IC 8-23-9-54)</b>		
49	<b>Total Operating Expense</b>	<b>3,089,000</b>	<b>3,089,000</b>



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

11  
12  
13 **GOVERNOR'S FELLOWSHIP PROGRAM**

Total Operating Expense	280,779	280,779
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14  
15 **OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS**

Total Operating Expense	1,500,000	1,500,000
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16  
17  
18 **FOR THE STATE EMPLOYEES' APPEALS COMMISSION**

Total Operating Expense	127,197	127,197
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19  
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
-------------------------	-----------	-----------

24  
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

41  
42  
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.**



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



1           **COMMUNITY CORRECTIONS PROGRAMS**

2 <b>Total Operating Expense</b>	72,449,242	72,449,242
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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 <b>Total Operating Expense</b>	648,742	648,742
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19          **INDIANAPOLIS RE-ENTRY EDUCATION FACILITY**

20 <b>Total Operating Expense</b>	700,000	700,000
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21          **CENTRAL EMERGENCY RESPONSE**

22 <b>Personal Services</b>	1,226,045	1,226,045
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23 <b>Other Operating Expense</b>	142,812	142,812
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24          **HEPATITIS C TREATMENT**

25 <b>Total Operating Expense</b>	19,682,000	24,037,000
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26          **DRUG ABUSE PREVENTION**

27 <b>Drug Abuse Fund (IC 11-8-2-11)</b>		
28 <b>Total Operating Expense</b>	127,500	127,500

29          Augmentation allowed.

30          **EXONERATION FUND**

31 <b>Total Operating Expense</b>	1	1
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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 <b>Total Operating Expense</b>	31,000,000	31,000,000
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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  
 27 **CORRECTIONAL SERVICES**  
 28 **Total Operating Expense** 145,159,148 145,159,148

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

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

35  
 36 **PAROLE DIVISION**  
 37 **Total Operating Expense** 13,810,281 13,810,281

38  
 39 **HERITAGE TRAIL CORRECTIONAL FACILITY**  
 40 **Total Operating Expense** 8,738,507 8,738,507

41 **SOUTH BEND COMMUNITY RE-ENTRY CENTER**  
 42 **Total Operating Expense** 2,171,865 2,171,865

43 **Work Release Fund (IC 11-10-8-6.5)**  
 44 **Total Operating Expense** 655,820 655,820

45 **Augmentation allowed**  
 46 **INDIANA STATE PRISON**

47 **Personal Services** 36,670,286 36,670,286  
 48 **Other Operating Expense** 5,528,973 5,528,973

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

HB 1001—LS 7431/DI 120



1	<b>PENDLETON JUVENILE CORRECTIONAL FACILITY</b>		
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
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35 **INDIANA INTELLIGENCE FUSION CENTER**

36	Total Operating Expense	1,246,649	1,246,649
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37 **FORENSIC AND HEALTH SCIENCES LABORATORIES**

38		12,522,368	12,522,368
39	Motor Carrier Regulation Fund (IC 8-2.1-23)		
40		464,960	464,960

41 Augmentation allowed from the motor carrier regulation fund.

42

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

44 are for the following purposes:

45			
46	Personal Services	12,707,328	12,707,328
47	Other Operating Expense	280,000	280,000

48

49 **ENFORCEMENT AID**



1	<b>Total Operating Expense</b>	<b>59,791</b>	<b>59,791</b>
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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	<b>Total Operating Expense</b>	<b>25,255,100</b>	<b>25,255,100</b>
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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	<b>Total Operating Expense</b>	<b>6,000,000</b>	<b>6,000,000</b>
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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	<b>Total Operating Expense</b>	<b>5,450,000</b>	<b>5,450,000</b>
----	--------------------------------	------------------	------------------

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	<b>Total Operating Expense</b>	<b>1</b>	<b>1</b>
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38

**Augmentation allowed.**

39

**ACCIDENT REPORTING**

40

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

41

<b>Total Operating Expense</b>	<b>4,122</b>	<b>4,122</b>
--------------------------------	--------------	--------------

42

**Augmentation allowed.**

43

**DRUG INTERDICTION**

44

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

45

<b>Total Operating Expense</b>	<b>202,249</b>	<b>202,249</b>
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46

**Augmentation allowed.**

47

**DNA SAMPLE PROCESSING**

48

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

49

<b>Total Operating Expense</b>	<b>1,776,907</b>	<b>1,776,907</b>
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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.**



1	<b>ALCOHOL AND DRUG COUNTERMEASURES</b>		
2	<b>Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)</b>		
3	<b>Total Operating Expense</b>	<b>335,000</b>	<b>335,000</b>
4	<b>Augmentation allowed.</b>		
5	<b>STATE DRUG FREE COMMUNITIES</b>		
6	<b>State Drug Free Communities Fund (IC 5-2-10-2)</b>		
7	<b>Total Operating Expense</b>	<b>323,125</b>	<b>323,125</b>
8	<b>Augmentation allowed.</b>		
9	<b>INDIANA SAFE SCHOOLS</b>		
10	<b>Total Operating Expense</b>	<b>1,313,059</b>	<b>1,313,059</b>
11	<b>Indiana Safe Schools Fund (IC 5-2-10.1-2)</b>		
12	<b>Total Operating Expense</b>	<b>300,000</b>	<b>300,000</b>
13	<b>Augmentation allowed from Indiana Safe Schools Fund.</b>		
14			
15	<b>The above appropriations for the Indiana safe schools program are for the purpose</b>		
16	<b>of providing grants to school corporations and charter schools for school safe haven</b>		
17	<b>programs, emergency preparedness programs, and school safety programs. The criminal</b>		
18	<b>justice institute shall transfer \$750,000 each fiscal year to the department of</b>		
19	<b>education to provide training to school safety specialists.</b>		
20			
21	<b>INDIANA CRIME GUNS TASK FORCE</b>		
22	<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>
23			
24	<b>BODY CAMERA GRANTS</b>		
25	<b>Total Operating Expense</b>		<b>10,000,000</b>
26			
27	<b>The above appropriation is for the purpose of providing grants to city, town, and</b>		
28	<b>county law enforcement agencies for the acquisition of body cameras. Law enforcement</b>		
29	<b>agencies that have previously purchased or deployed body cameras to the agency's</b>		
30	<b>law enforcement officers are not eligible to receive grants. Grant proceeds may</b>		
31	<b>only be used for the purchase of body cameras and may not be used to purchase video</b>		
32	<b>storage equipment or services. Eligible law enforcement agencies may apply for</b>		
33	<b>grants in accordance with procedures established by the criminal justice institute.</b>		
34			
35	<b>LOCAL LAW ENFORCEMENT TRAINING GRANTS</b>		
36	<b>Total Operating Expense</b>	<b>3,500,000</b>	<b>3,500,000</b>
37			
38	<b>The above appropriations are for the purpose of providing grants to city, town,</b>		
39	<b>and county law enforcement agencies to conduct law enforcement training, including</b>		
40	<b>the purchase of supplies and training materials. Law enforcement agencies may apply</b>		
41	<b>for grants in accordance with policies and procedures established by the criminal</b>		
42	<b>justice institute. A grant awarded by the criminal justice institute to a law enforcement</b>		
43	<b>agency in a fiscal year may not exceed the amount that the law enforcement agency</b>		
44	<b>received from fees collected pursuant to IC 35-47-2-3 in calendar year 2020.</b>		
45			
46	<b>OFFICE OF TRAFFIC SAFETY</b>		
47	<b>Total Operating Expense</b>	<b>507,633</b>	<b>507,633</b>
48			
49	<b>The above appropriation for the office of traffic safety may be used to cover the</b>		



1 state match requirement for this program according to the current highway safety  
2 plan approved by the governor and the budget agency.

3  
4 **SEXUAL ASSAULT VICTIMS' ASSISTANCE**

5 Total Operating Expense 2,000,000 2,000,000

6 **VICTIMS OF VIOLENT CRIME ADMINISTRATION**

7 Total Operating Expense 3,636,841 3,636,841

8 Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

9 Total Operating Expense 2,550,844 2,550,844

10 Augmentation allowed from the violent crime victims compensation fund.

11  
12 If appropriations are insufficient to pay eligible claims, the budget agency may  
13 augment from the general fund.

14  
15 **DOMESTIC VIOLENCE PREVENTION AND TREATMENT**

16 Total Operating Expense 5,000,000 5,000,000

17 Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)

18 Total Operating Expense 1,226,800 1,226,800

19 Augmentation allowed from domestic violence prevention and treatment fund.

20  
21 The above appropriations are for programs for the prevention of domestic violence.  
22 The appropriations may not be used to construct a shelter.

23  
24 **FOR THE DEPARTMENT OF TOXICOLOGY**

25 Total Operating Expense 2,249,632 2,249,632

26  
27 **BREATH TEST TRAINING AND CERTIFICATION**

28 Breath Test Training and Certification Fund (IC 10-20-2-9)

29 Total Operating Expense 355,000 355,000

30 Augmentation allowed from the Breath Test Training and Certification Fund.

31  
32 **FOR THE CORONERS TRAINING BOARD**

33 Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)

34 Total Operating Expense 400,000 400,000

35 Augmentation allowed.

36  
37 The state department of health shall administer the coroners training board fund.

38  
39 **FOR THE LAW ENFORCEMENT TRAINING ACADEMY**

40 2,287,272 2,287,272

41 Law Enforcement Academy Fund (IC 5-2-1-13)

42 2,584,810 2,622,760

43 Augmentation allowed from the Law Enforcement Academy Fund.

44  
45 The amounts specified from the General Fund and the Law Enforcement Academy Fund  
46 are for the following purposes:

47  
48 Total Operating Expense 4,872,082 4,910,032



1     **C. REGULATORY AND LICENSING**

2

3     **FOR THE BUREAU OF MOTOR VEHICLES**

4         Personal Services                             15,780,460             15,780,460

5         Other Operating Expense                     10,529,389             10,529,389

6     **FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION**

7         Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)

8         Total Operating Expense                     6,436,521             6,608,981

9         Augmentation allowed.

10    **MOTORCYCLE OPERATOR SAFETY**

11        Motorcycle Operator Safety Education Fund (IC 9-27-7-7)

12        Total Operating Expense                     1,430,622             1,411,122

13        Augmentation allowed.

14    **LICENSE BRANCHES**

15        Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)

16        Total Operating Expense                     106,681,667            106,681,667

17        Augmentation allowed.

18

19    **FOR THE DEPARTMENT OF LABOR**

20        Personal Services                             651,148                651,148

21        Other Operating Expense                     52,037                 52,037

22    **BUREAU OF MINES AND SAFETY**

23        Total Operating Expense                     156,517                156,517

24    **QUALITY, METRICS, AND STATISTICS (M.I.S.)**

25        Total Operating Expense                     151,682                151,682

26    **OCCUPATIONAL SAFETY AND HEALTH**

27        Total Operating Expense                     2,269,118             2,269,118

28

29    The above appropriations for occupational safety and health and M.I.S. research  
30    and statistics reflect only the general fund portion of the total program costs of  
31    the Indiana occupational safety and health plan as approved by the U.S. Department  
32    of Labor. It is the intent of the general assembly that the Indiana department  
33    of labor apply to the federal government for the federal share of the total program  
34    costs.

35

36    **EMPLOYMENT OF YOUTH**

37        Labor Education and Youth Employment Fund (IC 22-2-18.1-32)

38        Total Operating Expense                     532,110                532,110

39        Augmentation allowed.

40    **INSAFE**

41        Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)

42        Total Operating Expense                     380,873                380,873

43        Augmentation allowed.

44

45    **FOR THE DEPARTMENT OF INSURANCE**

46        Department of Insurance Fund (IC 27-1-3-28)

47        Personal Services                             6,191,755             6,191,755

48        Other Operating Expense                     1,199,878             1,199,878

49        Augmentation allowed.



1	<b>BAIL BOND DIVISION</b>		
2	<b>Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)</b>		
3	<b>Total Operating Expense</b>	<b>66,465</b>	<b>66,465</b>
4	Augmentation allowed.		
5	<b>PATIENT'S COMPENSATION AUTHORITY</b>		
6	<b>Patient's Compensation Fund (IC 34-18-6-1)</b>		
7	<b>Total Operating Expense</b>	<b>4,149,289</b>	<b>4,149,289</b>
8	Augmentation allowed.		
9	<b>POLITICAL SUBDIVISION RISK MANAGEMENT</b>		
10	<b>Political Subdivision Risk Management Fund (IC 27-1-29-10)</b>		
11	<b>Other Operating Expense</b>	<b>133,108</b>	<b>133,108</b>
12	Augmentation allowed.		
13	<b>MINE SUBSIDENCE INSURANCE</b>		
14	<b>Mine Subsidence Insurance Fund (IC 27-7-9-7)</b>		
15	<b>Total Operating Expense</b>	<b>2,400,000</b>	<b>2,400,000</b>
16	Augmentation allowed.		
17	<b>TITLE INSURANCE ENFORCEMENT OPERATING</b>		
18	<b>Title Insurance Enforcement Fund (IC 27-7-3.6-1)</b>		
19	<b>Total Operating Expense</b>	<b>902,940</b>	<b>902,940</b>
20	Augmentation allowed.		
21			
22	<b>FOR THE ALCOHOL AND TOBACCO COMMISSION</b>		
23	<b>Enforcement and Administration Fund (IC 7.1-4-10-1)</b>		
24	<b>Personal Services</b>	<b>10,854,298</b>	<b>10,854,298</b>
25	<b>Other Operating Expense</b>	<b>1,645,458</b>	<b>1,645,458</b>
26	Augmentation allowed.		
27	<b>YOUTH TOBACCO EDUCATION AND ENFORCEMENT</b>		
28	<b>Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)</b>		
29	<b>Total Operating Expense</b>	<b>72,849</b>	<b>72,849</b>
30	Augmentation allowed.		
31	<b>ATC OPEB CONTRIBUTION</b>		
32	<b>Enforcement and Administration Fund (IC 7.1-4-10-1)</b>		
33	<b>Total Operating Expense</b>	<b>638,532</b>	<b>658,617</b>
34	Augmentation allowed.		
35			
36	<b>FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS</b>		
37	<b>Financial Institutions Fund (IC 28-11-2-9)</b>		
38	<b>Personal Services</b>	<b>7,384,743</b>	<b>7,384,743</b>
39	<b>Other Operating Expense</b>	<b>1,943,928</b>	<b>1,943,928</b>
40	Augmentation allowed.		
41			
42	<b>FOR THE PROFESSIONAL LICENSING AGENCY</b>		
43	<b>Personal Services</b>	<b>4,216,420</b>	<b>4,216,420</b>
44	<b>Other Operating Expense</b>	<b>306,062</b>	<b>306,062</b>
45	<b>CONTROLLED SUBSTANCES DATA FUND (INSPECT)</b>		
46	<b>Controlled Substances Data Fund (IC 25-26-24-23)</b>		
47	<b>Total Operating Expense</b>	<b>1,459,572</b>	<b>1,459,572</b>
48	Augmentation allowed.		
49	<b>PRENEED CONSUMER PROTECTION</b>		





	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>Preneed Consumer Protection Fund (IC 30-2-13-28)</b>		
2	<b>67,000</b>	<b>67,000</b>	
3	Augmentation allowed.		
4	<b>BOARD OF FUNERAL AND CEMETERY SERVICE</b>		
5	<b>Funeral Service Education Fund (IC 25-15-9-13)</b>		
6	<b>250</b>	<b>250</b>	
7	Augmentation allowed.		
8	<b>DENTAL PROFESSION INVESTIGATION</b>		
9	<b>Dental Compliance Fund (IC 25-14-1-3.7)</b>		
10	<b>100,605</b>	<b>100,605</b>	
11	Augmentation allowed.		
12	<b>PHYSICIAN INVESTIGATION</b>		
13	<b>Physician Compliance Fund (IC 25-22.5-2-8)</b>		
14	<b>7,586</b>	<b>7,586</b>	
15	Augmentation allowed.		
16			
17	<b>FOR THE CIVIL RIGHTS COMMISSION</b>		
18	<b>1,539,033</b>	<b>1,539,033</b>	
19	<b>276,044</b>	<b>276,044</b>	
20			
21	The above appropriation for the Indiana civil rights commission reflects only the		
22	general fund portion of the total program costs for the processing of employment		
23	and housing discrimination complaints. It is the intent of the general assembly		
24	that the commission shall apply to the federal government for funding based		
25	upon the processing of employment and housing discrimination complaints.		
26			
27	<b>COMMISSION FOR WOMEN</b>		
28	<b>98,115</b>	<b>98,115</b>	
29	<b>COMMISSION ON THE SOCIAL STATUS OF BLACK MALES</b>		
30	<b>135,431</b>	<b>135,431</b>	
31	<b>NATIVE AMERICAN INDIAN AFFAIRS COMMISSION</b>		
32	<b>74,379</b>	<b>74,379</b>	
33	<b>COMMISSION ON HISPANIC/LATINO AFFAIRS</b>		
34	<b>102,432</b>	<b>102,432</b>	
35	<b>DR. MARTIN LUTHER KING JR. HOLIDAY COMMISSION</b>		
36	<b>19,400</b>	<b>19,400</b>	
37			
38	<b>FOR THE UTILITY CONSUMER COUNSELOR</b>		
39	<b>Public Utility Fund (IC 8-1-6-1)</b>		
40	<b>6,135,835</b>	<b>6,135,835</b>	
41	<b>771,825</b>	<b>771,825</b>	
42	Augmentation allowed.		
43	<b>EXPERT WITNESS FEES AND AUDIT</b>		
44	<b>Public Utility Fund (IC 8-1-6-1)</b>		
45	<b>787,998</b>	<b>787,998</b>	
46	Augmentation allowed.		
47			
48	<b>FOR THE UTILITY REGULATORY COMMISSION</b>		
49	<b>Public Utility Fund (IC 8-1-6-1)</b>		



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	6,739,751	6,739,751
2	Other Operating Expense	2,172,236	2,172,236
3	Augmentation allowed.		
4			
5	<b>FOR THE WORKER'S COMPENSATION BOARD</b>		
6	Total Operating Expense	1,835,964	1,835,964
7	Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)		
8	Total Operating Expense	409,155	409,155
9	Augmentation allowed from the worker's compensation supplemental administrative		
10	fund.		
11			
12	<b>FOR THE STATE BOARD OF ANIMAL HEALTH</b>		
13	Personal Services	4,626,244	4,626,244
14	Other Operating Expense	518,500	518,500
15	<b>INDEMNITY FUND</b>		
16	Total Operating Expense	42,500	42,500
17	Augmentation allowed.		
18	<b>MEAT &amp; POULTRY</b>		
19	Total Operating Expense	1,965,106	1,965,106
20	<b>CAPTIVE CERVIDAE PROGRAMS</b>		
21	Captive Cervidae Programs Fund (IC 15-17-14.7-16)		
22	Total Operating Expense	40,000	40,000
23	Augmentation allowed.		
24			
25	<b>FOR THE DEPARTMENT OF HOMELAND SECURITY</b>		
26	Fire and Building Services Fund (IC 22-12-6-1)		
27	Personal Services	11,411,500	11,691,962
28	Other Operating Expense	2,587,891	2,708,591
29	Augmentation allowed.		
30	<b>REGIONAL PUBLIC SAFETY TRAINING</b>		
31	Regional Public Safety Training Fund (IC 10-15-3-12)		
32	Total Operating Expense	1,936,185	1,936,185
33	Augmentation allowed.		
34	<b>RADIOLOGICAL HEALTH</b>		
35	Total Operating Expense	63,023	63,023
36	<b>INDIANA SECURED SCHOOL SAFETY</b>		
37	Total Operating Expense	19,010,000	19,010,000
38			
39	The above appropriations include funds to provide grants for the provision of school based		
40	mental health services and social emotional wellness services to students in K-12		
41	schools. From the above appropriations, the department shall make \$500,000 available		
42	each fiscal year to accredited nonpublic schools that apply for grants for the purchase		
43	of security equipment or other security upgrades. The department shall prioritize		
44	grants to nonpublic schools that demonstrate a heightened risk of security threats.		
45			
46	<b>EMERGENCY MANAGEMENT CONTINGENCY FUND</b>		
47	Total Operating Expense	97,288	97,288
48	Augmentation allowed.		
49			



1 The above appropriations for the emergency management contingency fund are made  
 2 under IC 10-14-3-28.

3  
 4 **PUBLIC ASSISTANCE**

5 **Total Operating Expense** 1 1

6 **Augmentation allowed.**

7 **INDIANA EMERGENCY RESPONSE COMMISSION**

8 **Total Operating Expense** 48,579 48,579

9 **Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)**

10 **Total Operating Expense** 63,251 63,251

11 **Augmentation allowed.**

12 **STATE DISASTER RELIEF**

13 **State Disaster Relief Fund (IC 10-14-4-5)**

14 **Total Operating Expense** 149,784 149,784

15 **Augmentation allowed.**

16 **FIRE PREVENTION AND PUBLIC SAFETY**

17 **Fire Prevention and Public Safety Fund (IC 22-14-7-27)**

18 **Total Operating Expense** 32,000 32,000

19 **Augmentation allowed.**

20  
 21 **Any remaining balance in the reduced ignition propensity standards for cigarettes fund**  
 22 **before its repeal shall be transferred to the fire prevention and public safety fund.**

23  
 24 **STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND**

25 **Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)**

26 **Total Operating Expense** 102,815 102,815

27 **Augmentation allowed.**

28  
 29 **SECTION 5. [EFFECTIVE JULY 1, 2021]**

30  
 31 **CONSERVATION AND ENVIRONMENT**

32  
 33 **A. NATURAL RESOURCES**

34  
 35 **FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION**

36 **Personal Services** 9,090,851 9,090,851

37 **Other Operating Expense** 1,926,025 1,926,025

38 **DNR OPEB CONTRIBUTION**

39 **Total Operating Expense** 2,399,766 2,454,372

40 **ENTOMOLOGY AND PLANT PATHOLOGY DIVISION**

41 **Total Operating Expense** 794,022 794,022

42 **Entomology and Plant Pathology Fund (IC 14-24-10-3)**

43 **Total Operating Expense** 302,415 302,415

44 **DNR ENGINEERING DIVISION**

45 **Personal Services** 1,749,853 1,749,853

46 **Other Operating Expense** 348,650 348,650

47 **DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY**

48 **Total Operating Expense** 916,191 916,191

49 **WABASH RIVER HERITAGE CORRIDOR**



1	<b>Wabash River Heritage Corridor Fund (IC 14-13-6-23)</b>		
2	<b>Total Operating Expense</b>	<b>159,128</b>	<b>159,128</b>
3	<b>NATURE PRESERVES DIVISION</b>		
4	<b>Other Operating Expense</b>	<b>351,488</b>	<b>351,488</b>
5	<b>WATER DIVISION</b>		
6	<b>Personal Services</b>	<b>4,152,675</b>	<b>4,152,675</b>
7	<b>Other Operating Expense</b>	<b>500,001</b>	<b>500,001</b>

8  
9  
10 **All revenues accruing from state and local units of government and from private**  
11 **utilities and industrial concerns as a result of water resources study projects,**  
12 **and as a result of topographic and other mapping projects, shall be deposited into**  
13 **the state general fund, in addition to the above appropriations, for water**  
14 **resources studies. The above appropriations include \$200,000 each fiscal year**  
15 **for the monitoring of water resources.**

16	<b>DEER RESEARCH AND MANAGEMENT</b>		
17	<b>Deer Research and Management Fund (IC 14-22-5-2)</b>		
18	<b>Total Operating Expense</b>	<b>90,180</b>	<b>90,180</b>
19	<b>Augmentation allowed.</b>		
20	<b>OIL AND GAS DIVISION</b>		
21	<b>Oil and Gas Fund (IC 6-8-1-27)</b>		
22	<b>Personal Services</b>	<b>1,054,473</b>	<b>1,054,473</b>
23	<b>Other Operating Expense</b>	<b>302,192</b>	<b>302,192</b>
24	<b>Augmentation allowed.</b>		

25	<b>STATE PARKS AND RESERVOIRS</b>		
26	<b>3,590,713</b>	<b>3,590,713</b>	
27	<b>State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)</b>		
28	<b>35,210,802</b>	<b>35,210,802</b>	
29	<b>Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.</b>		

30  
31 **The amounts specified from the General Fund and the State Parks and Reservoirs**  
32 **Special Revenue Fund are for the following purposes:**

34	<b>Personal Services</b>	<b>25,623,759</b>	<b>25,623,759</b>
35	<b>Other Operating Expense</b>	<b>13,177,756</b>	<b>13,177,756</b>

37	<b>SNOWMOBILE FUND</b>		
38	<b>Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)</b>		
39	<b>Total Operating Expense</b>	<b>78,209</b>	<b>78,209</b>
40	<b>Augmentation allowed.</b>		

41	<b>DNR LAW ENFORCEMENT DIVISION</b>		
42	<b>13,108,321</b>	<b>13,108,321</b>	
43	<b>Fish and Wildlife Fund (IC 14-22-3-2)</b>		
44	<b>10,831,730</b>	<b>10,831,730</b>	
45	<b>Augmentation allowed from the Fish and Wildlife Fund.</b>		

46  
47 **The amounts specified from the General Fund and the Fish and Wildlife Fund are for**  
48 **the following purposes:**

49



		<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	20,671,551	20,671,551	
2	Other Operating Expense	3,268,500	3,268,500	
3				
4	<b>SPORTSMEN'S BENEVOLENCE</b>			
5	Total Operating Expense	145,500	145,500	
6	<b>FISH AND WILDLIFE DIVISION</b>			
7	Fish and Wildlife Fund (IC 14-22-3-2)			
8	Personal Services	5,239,323	5,239,323	
9	Other Operating Expense	4,302,011	4,302,011	
10	Augmentation allowed.			
11	<b>FORESTRY DIVISION</b>			
12		5,831,218	5,831,218	
13	State Forestry Fund (IC 14-23-3-2)			
14		3,643,741	3,643,741	
15	Augmentation allowed from the State Forestry Fund.			
16				
17	The amounts specified from the General Fund and the State Forestry Fund are for			
18	the following purposes:			
19				
20	Personal Services	7,184,827	7,184,827	
21	Other Operating Expense	2,290,132	2,290,132	
22				
23	In addition to any of the above appropriations for the department of natural resources,			
24	any federal funds received by the state of Indiana for support of approved outdoor			
25	recreation projects for planning, acquisition, and development under the provisions			
26	of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated			
27	for the uses and purposes for which the funds were paid to the state, and shall			
28	be distributed by the department of natural resources to state agencies and other			
29	governmental units in accordance with the provisions under which the funds were			
30	received.			
31				
32	<b>LAKE MICHIGAN COASTAL PROGRAM MATCH</b>			
33	Cigarette Tax Fund (IC 6-7-1-28.1)			
34	Total Operating Expense	117,313	117,313	
35	Augmentation allowed.			
36	<b>LAKE AND RIVER ENHANCEMENT</b>			
37	Lake and River Enhancement Fund (IC 14-22-3.5-1)			
38	Total Operating Expense	2,046,309	2,046,309	
39	Augmentation allowed.			
40	<b>HERITAGE TRUST</b>			
41	Total Operating Expense	94,090	94,090	
42	Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)			
43	Total Operating Expense	811,750	811,750	
44	Augmentation allowed.			
45	<b>INSTITUTIONAL ROAD CONSTRUCTION</b>			
46	State Highway Fund (IC 8-23-9-54)			
47	Total Operating Expense	2,425,000	2,425,000	
48				
49	The above appropriations for institutional road construction may be used for			



1 road and bridge construction, relocation, and other related improvement projects  
 2 at state owned properties managed by the department of natural resources.

3  
 4 **B. OTHER NATURAL RESOURCES**

5  
 6 **FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION**

7 Total Operating Expense	7,928,155	7,928,155
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8  
 9 In lieu of billing the University of Southern Indiana, the above appropriations  
 10 include \$25,000 each fiscal year for the purpose of maintaining historic properties  
 11 in New Harmony.

12  
 13 **FOR THE WAR MEMORIALS COMMISSION**

14 Personal Services	935,203	935,203
15 Other Operating Expense	453,615	453,615

16  
 17 All revenues received as rent for space in the buildings located at 777 North Meridian  
 18 Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the  
 19 costs of operation and maintenance of the space rented, shall be deposited into  
 20 the general fund.

21  
 22 **FOR THE WHITE RIVER STATE PARK DEVELOPMENT COMMISSION**

23 Total Operating Expense	848,506	848,506
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24  
 25 **FOR THE MAUMEE RIVER BASIN COMMISSION**

26 Total Operating Expense	101,850	101,850
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27  
 28 **FOR THE ST. JOSEPH RIVER BASIN COMMISSION**

29 Total Operating Expense	104,974	104,974
----------------------------	---------	---------

30  
 31 **FOR THE KANKAKEE RIVER BASIN COMMISSION**

32 Total Operating Expense	71,614	71,614
----------------------------	--------	--------

33  
 34 **C. ENVIRONMENTAL MANAGEMENT**

35  
 36 **FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

37 **OPERATING**

38 Personal Services	8,379,269	8,379,269
39 Other Operating Expense	4,851,426	4,851,426

40 **OFFICE OF ENVIRONMENTAL RESPONSE**

41 Personal Services	2,109,416	2,109,416
42 Other Operating Expense	280,000	280,000

43 **POLLUTION PREVENTION AND TECHNICAL ASSISTANCE**

44 Personal Services	599,439	599,439
45 Other Operating Expense	70,000	70,000

46 **RIVERSIDE CLEAN-UP**

47 Total Operating Expense	1,950,000	1,950,000
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48 **STATE SOLID WASTE GRANTS MANAGEMENT**

49 State Solid Waste Management Fund (IC 13-20-22-2)



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>Total Operating Expense</b>	<b>3,649,940</b>	<b>3,649,940</b>
2	Augmentation allowed.		
3	<b>RECYCLING PROMOTION AND ASSISTANCE PROGRAM</b>		
4	Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
5	<b>Total Operating Expense</b>	<b>2,225,116</b>	<b>2,225,116</b>
6	Augmentation allowed.		
7	<b>VOLUNTARY CLEAN-UP PROGRAM</b>		
8	Voluntary Remediation Fund (IC 13-25-5-21)		
9	Personal Services	1,076,668	1,076,668
10	Other Operating Expense	90,000	90,000
11	Augmentation allowed.		
12	<b>TITLE V AIR PERMIT PROGRAM</b>		
13	Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
14	Personal Services	10,842,859	10,842,859
15	Other Operating Expense	725,000	725,000
16	Augmentation allowed.		
17	<b>WATER MANAGEMENT PERMITTING</b>		
18	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
19	Personal Services	6,030,674	6,030,674
20	Other Operating Expense	1,769,000	1,769,000
21	Augmentation allowed.		
22	<b>SOLID WASTE MANAGEMENT PERMITTING</b>		
23	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
24	Personal Services	3,315,656	3,315,656
25	Other Operating Expense	963,000	963,000
26	Augmentation allowed.		
27	<b>CFO/CAFO INSPECTIONS</b>		
28	<b>Total Operating Expense</b>	<b>812,248</b>	<b>812,248</b>
29	<b>HAZARDOUS WASTE MANAGEMENT PERMITTING</b>		
30	Environmental Management Permit Operation Fund (IC 13-15-11-1)		
31	Personal Services	882,577	882,577
32	Other Operating Expense	339,000	339,000
33	Augmentation allowed.		
34	Environmental Management Special Fund (IC 13-14-12)		
35	<b>Total Operating Expense</b>	<b>1,500,000</b>	<b>1,500,000</b>
36	<b>ELECTRONIC WASTE</b>		
37	Electronic Waste Fund (IC 13-20.5-2-3)		
38	<b>Total Operating Expense</b>	<b>213,685</b>	<b>213,685</b>
39	Augmentation allowed.		
40	<b>AUTO EMISSIONS TESTING PROGRAM</b>		
41	<b>Total Operating Expense</b>	<b>5,087,133</b>	<b>5,087,133</b>
42			
43	The above appropriations for auto emissions testing are the maximum amounts available		
44	for this purpose. If it becomes necessary to conduct additional tests in other locations,		
45	the above appropriations shall be prorated among all locations.		
46			
47	<b>HAZARDOUS WASTE SITES - STATE CLEAN-UP</b>		
48	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
49	<b>Total Operating Expense</b>	<b>3,486,973</b>	<b>3,486,973</b>

HB 1001—LS 7431/DI 120



1	Augmentation allowed.		
2	<b>HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES</b>		
3	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
4	Total Operating Expense	237,215	237,215
5	Augmentation allowed.		
6	<b>SUPERFUND MATCH</b>		
7	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
8	Total Operating Expense	1,500,000	1,500,000
9	Augmentation allowed.		
10	<b>ASBESTOS TRUST - OPERATING</b>		
11	Asbestos Trust Fund (IC 13-17-6-3)		
12	Total Operating Expense	567,086	567,086
13	Augmentation allowed.		
14	<b>UNDERGROUND PETROLEUM STORAGE TANK - OPERATING</b>		
15	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
16	Personal Services	3,399,496	3,399,496
17	Other Operating Expense	33,861,114	33,861,114
18	Augmentation allowed.		
19	<b>WASTE TIRE MANAGEMENT</b>		
20	Waste Tire Management Fund (IC 13-20-13-8)		
21	Total Operating Expense	1,508,758	1,508,758
22	Augmentation allowed.		
23	<b>VOLUNTARY COMPLIANCE</b>		
24	Environmental Management Special Fund (IC 13-14-12-1)		
25	Total Operating Expense	529,126	529,126
26	Augmentation allowed.		
27	<b>PETROLEUM TRUST - OPERATING</b>		
28	Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
29	Total Operating Expense	1,110,000	1,110,000
30	Augmentation allowed.		
31			
32	Notwithstanding any other law, with the approval of the governor and the budget		
33	agency, the above appropriations for hazardous waste management permitting,		
34	wetlands protection, groundwater program, underground storage tank program,		
35	air management operating, asbestos trust operating, water management nonpermitting,		
36	safe drinking water program, and any other appropriation eligible to be included in a		
37	performance partnership grant may be used to fund activities incorporated into a		
38	performance partnership grant between the United States Environmental Protection		
39	Agency and the department of environmental management.		
40			
41	<b>FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION</b>		
42	Personal Services	319,652	319,652
43	Other Operating Expense	20,007	20,007
44			
45	<b>SECTION 6. [EFFECTIVE JULY 1, 2021]</b>		
46			
47	<b>ECONOMIC DEVELOPMENT</b>		
48			
49	<b>A. AGRICULTURE</b>		





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**FOR THE DEPARTMENT OF AGRICULTURE**

Personal Services	1,302,532	1,302,532
Other Operating Expense	575,989	575,989

The above appropriations include \$5,000 each fiscal year to purchase plaques for the recipients of the Hoosier Homestead award.

**DISTRIBUTIONS TO FOOD BANKS**

Total Operating Expense	300,000	300,000
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**CLEAN WATER INDIANA**

Total Operating Expense	824,500	824,500
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**Cigarette Tax Fund (IC 6-7-1-28.1)**

Total Operating Expense	2,519,014	2,519,014
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**SOIL CONSERVATION DIVISION**

**Cigarette Tax Fund (IC 6-7-1-28.1)**

Total Operating Expense	1,205,700	1,205,700
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Augmentation allowed.

**GRAIN BUYERS AND WAREHOUSE LICENSING**

**Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)**

Total Operating Expense	598,090	598,090
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Augmentation allowed.

**B. COMMERCE**

**FOR THE LIEUTENANT GOVERNOR**

**INDIANA DESTINATION DEVELOPMENT CORP.**

Total Operating Expense	5,697,925	5,697,925
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The above appropriation includes \$500,000 annually to assist the department of natural resources with marketing efforts.

Of the above appropriations, the office of tourism development shall distribute up to \$550,000 each year to the Indiana sports corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee.

The office may retain any advertising revenue generated by the office. Any revenue received is in addition to the above appropriations and is appropriated for the purposes of the office.

The above appropriations include up to \$75,000 each state fiscal year for the Grissom Air Museum and up to \$50,000 for the Studebaker Museum. The Studebaker Museum distribution requires a \$50,000 match. Of the above appropriations, up to \$500,000 each year may be used to pay costs associated with hosting the national convention for FFA.

**OFFICE OF COMMUNITY AND RURAL AFFAIRS**

Total Operating Expense	1,245,820	1,245,820
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**HISTORIC PRESERVATION GRANTS**



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>Total Operating Expense</b>	<b>661,777</b>	<b>661,777</b>
2	<b>LINCOLN PRODUCTION</b>		
3	<b>Total Operating Expense</b>	<b>164,493</b>	<b>164,493</b>
4	<b>INDIANA GROWN</b>		
5	<b>Total Operating Expense</b>	<b>206,230</b>	<b>206,230</b>
6	<b>RURAL ECONOMIC DEVELOPMENT</b>		
7	<b>Total Operating Expense</b>	<b>496,712</b>	<b>496,712</b>
8			
9	<b>FOR THE OFFICE OF ENERGY DEVELOPMENT</b>		
10	<b>Total Operating Expense</b>	<b>199,843</b>	<b>199,843</b>
11			
12	<b>FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION</b>		
13	<b>ADMINISTRATIVE AND FINANCIAL SERVICES</b>		
14	<b>Total Operating Expense</b>	<b>7,694,904</b>	<b>7,694,904</b>
15	<b>Skills Enhancement Fund (IC 5-28-7-5)</b>		
16	<b>Total Operating Expense</b>	<b>180,061</b>	<b>180,061</b>
17	<b>Industrial Development Grant Fund (IC 5-28-25-4)</b>		
18	<b>Total Operating Expense</b>	<b>50,570</b>	<b>50,570</b>
19	<b>INDIANA 21ST CENTURY RESEARCH AND TECHNOLOGY FUND</b>		
20	<b>Total Operating Expense</b>	<b>27,750,000</b>	<b>27,750,000</b>
21	<b>SKILLS ENHANCEMENT FUND</b>		
22	<b>Total Operating Expense</b>	<b>11,500,000</b>	<b>11,500,000</b>
23	<b>OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP</b>		
24	<b>Total Operating Expense</b>	<b>1,183,000</b>	<b>1,183,000</b>
25	<b>INDIANA OFFICE OF DEFENSE DEVELOPMENT</b>		
26	<b>Total Operating Expense</b>	<b>523,627</b>	<b>523,627</b>
27	<b>CAREER CONNECTIONS AND TALENT</b>		
28	<b>Personal Services</b>	<b>595,197</b>	<b>595,197</b>
29	<b>Other Operating Expense</b>	<b>79,235</b>	<b>79,235</b>
30	<b>BUSINESS PROMOTION AND INNOVATION</b>		
31	<b>Total Operating Expense</b>	<b>17,000,000</b>	<b>17,000,000</b>
32			
33	<b>The above appropriations may be used by the Indiana Economic Development Corporation</b>		
34	<b>to promote business investment and encourage entrepreneurship and innovation. The</b>		
35	<b>corporation may use the above appropriations to advance innovation and entrepreneurship</b>		
36	<b>education through strategic partnerships with higher education institutions and</b>		
37	<b>communities, provide innovation vouchers to small Hoosier businesses, establish</b>		
38	<b>a pilot project for income sharing agreements, support efforts to attract amateur</b>		
39	<b>sporting events, including contributions to bid funds, promote and enhance the motor</b>		
40	<b>sports industry in Indiana, and support activities that promote international trade.</b>		
41			
42	<b>INDUSTRIAL DEVELOPMENT GRANT PROGRAM</b>		
43	<b>Total Operating Expense</b>	<b>4,850,000</b>	<b>4,850,000</b>
44	<b>NEXT LEVEL REGIONAL RECOVERY GRANTS</b>		
45	<b>Total Operating Expense</b>		<b>150,000,000</b>
46	<b>MANUFACTURING READINESS GRANTS</b>		
47	<b>Total Operating Expense</b>	<b>5,000,000</b>	<b>5,000,000</b>
48	<b>NEXT LEVEL FLIGHTS</b>		
49	<b>Total Operating Expense</b>		<b>10,000,000</b>

HB 1001—LS 7431/DI 120



1  
2 **Of the above appropriation for next level flights, the Indiana economic development**  
3 **corporation may award up three million dollars (\$3,000,000) to the Fort Wayne International**  
4 **Airport for a gate expansion project.**

5  
6 **ECONOMIC DEVELOPMENT FUND**

7 <b>Total Operating Expense</b>	947,344	947,344
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8  
9 **FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY**

10 **HOUSING FIRST PROGRAM**

11 <b>Total Operating Expense</b>	890,027	890,027
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12 **INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS**

13 <b>Total Operating Expense</b>	609,945	609,945
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14  
15 **The housing and community development authority shall collect and report to the**  
16 **family and social services administration (FSSA) all data required for FSSA to meet**  
17 **the data collection and reporting requirements in 45 CFR Part 265.**

18  
19 **The division of family resources shall apply all qualifying expenditures for individual**  
20 **development account deposits toward Indiana's maintenance of effort under the federal**  
21 **Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).**

22  
23 **FOR THE INDIANA FINANCE AUTHORITY**

24 **ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM**

25 **Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)**

26 <b>Total Operating Expense</b>	2,500,000	2,500,000
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27  
28 **C. EMPLOYMENT SERVICES**

29  
30 **FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT**

31 **ADMINISTRATION**

32 <b>Total Operating Expense</b>	1,138,715	1,138,715
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33 **PROPRIETARY EDUCATIONAL INSTITUTIONS**

34 <b>Total Operating Expense</b>	53,243	53,243
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35 **NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM**

36 <b>Total Operating Expense</b>	17,064,066	17,064,066
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37 **INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION**

38 <b>Total Operating Expense</b>	850,000	850,000
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39 **WORKFORCE READY GRANTS**

40 <b>Total Operating Expense</b>	3,000,000	3,000,000
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41 **DROPOUT PREVENTION**

42 <b>Total Operating Expense</b>	6,800,000	6,800,000
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43 **ADULT EDUCATION DISTRIBUTION**

44 <b>Total Operating Expense</b>	12,985,041	12,985,041
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45  
46 **It is the intent of the 2021 general assembly that the above appropriations for**  
47 **adult education shall be the total allowable state expenditure for such program.**  
48 **If disbursements are anticipated to exceed the total appropriation for a state fiscal**  
49 **year, the department of workforce development shall reduce the distributions**



1 proportionately.

2			
3	<b>SERVE INDIANA ADMINISTRATION</b>		
4	<b>Total Operating Expense</b>	<b>239,560</b>	<b>239,560</b>
5			
6	<b>FOR THE WORKFORCE CABINET</b>		
7	<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>
8	<b>WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM</b>		
9	<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>
10	<b>PERKINS STATE MATCH</b>		
11	<b>Total Operating Expense</b>	<b>494,000</b>	<b>494,000</b>
12	<b>PROMOTED INDUSTRY CERTIFICATION EXAMS</b>		
13	<b>Total Operating Expense</b>	<b>600,000</b>	<b>600,000</b>

14  
15 The above appropriations for certifications are to provide funding for students  
16 of accredited public and nonpublic schools to take exams required to earn certifications  
17 on Indiana's promoted industry certification list.

18  
19 **D. OTHER ECONOMIC DEVELOPMENT**

20			
21	<b>FOR THE INDIANA STATE FAIR BOARD</b>		
22	<b>Total Operating Expense</b>	<b>2,128,859</b>	<b>2,128,859</b>

23  
24 **SECTION 7. [EFFECTIVE JULY 1, 2021]**

25  
26 **TRANSPORTATION**

27			
28	<b>FOR THE DEPARTMENT OF TRANSPORTATION</b>		
29	<b>RAILROAD GRADE CROSSING IMPROVEMENT</b>		
30	<b>Motor Vehicle Highway Account (IC 8-14-1)</b>		
31	<b>Total Operating Expense</b>	<b>750,000</b>	<b>750,000</b>
32	<b>PUBLIC MASS TRANSPORTATION</b>		
33	<b>Other Operating Expense</b>	<b>45,000,000</b>	<b>45,000,000</b>

34  
35 The above appropriations for public mass transportation are to be used solely for  
36 the promotion and development of public transportation.

37  
38 The department of transportation may distribute public mass transportation funds  
39 to an eligible grantee that provides public transportation in Indiana.

40  
41 The state funds can be used to match federal funds available under the Federal  
42 Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.

43  
44 Before funds may be disbursed to a grantee, the grantee must submit its request  
45 for financial assistance to the department of transportation for approval. Allocations  
46 must be approved by the governor and the budget agency and shall be made on a  
47 reimbursement basis. Only applications for capital and operating assistance may  
48 be approved. Only those grantees that have met the reporting requirements under  
49 IC 8-23-3 are eligible for assistance under this appropriation.



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**AIRPORT DEVELOPMENT**

<b>Airport Development Grant Fund (IC 8-21-11)</b>		
Other Operating Expense	3,600,000	3,600,000
Augmentation allowed.		

**HIGHWAY OPERATING**

<b>State Highway Fund (IC 8-23-9-54)</b>		
Personal Services	281,673,026	281,673,026
Other Operating Expense	74,645,808	76,511,954
Augmentation allowed.		

**HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT**

<b>State Highway Fund (IC 8-23-9-54)</b>		
Other Operating Expense	30,307,124	30,783,714
Augmentation allowed.		

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

**HIGHWAY MAINTENANCE WORK PROGRAM**

<b>State Highway Fund (IC 8-23-9-54)</b>		
Other Operating Expense	121,904,082	124,646,972
Augmentation allowed.		

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

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

**HIGHWAY CAPITAL IMPROVEMENTS**

<b>State Highway Fund (IC 8-23-9-54)</b>		
Right-of-Way Expense	50,000,000	50,000,000
Formal Contracts Expense	718,224,085	805,032,075
Consulting Services Expense	100,000,000	100,000,000
Institutional Road Construction	5,000,000	5,000,000
Augmentation allowed for the highway capital improvements program.		

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

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;



- 1      (3) construction, reconstruction, or replacement of travel lanes, intersections,
- 2      grade separations, rest parks, and weigh stations;
- 3      (4) relocation and modernization of existing roads;
- 4      (5) resurfacing;
- 5      (6) erosion and slide control;
- 6      (7) construction and improvement of railroad grade crossings, including
- 7      the use of the appropriations to match federal funds for projects;
- 8      (8) small structure replacements;
- 9      (9) safety and spot improvements; and
- 10     (10) right-of-way, relocation, and engineering and consulting expenses
- 11     associated with any of the above types of projects.

12  
 13     Subject to approval by the Budget Director, the above appropriation for institutional  
 14     road construction may be used for road, bridge, and parking lot construction,  
 15     maintenance, and improvement projects at any state-owned property.

16  
 17     No appropriation from the state highway fund may be used to fund any toll road or  
 18     toll bridge project except as specifically provided for under IC 8-15-2-20.

19

20     **NEXT LEVEL CONNECTIONS**

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

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

24     **TOLL ROAD COUNTIES STATE HIGHWAY PROGRAM**

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

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

28     **HIGHWAY PLANNING AND RESEARCH PROGRAM**

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

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

32     **STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM**

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

34        Lease Rental Payments Expense	70,000,000	70,000,000
35        Augmentation allowed.		

36  
 37     The above appropriations for the state highway road construction and improvement  
 38     program shall be first used for payment of rentals and leases relating to projects  
 39     under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:  
 40     (1) road and bridge construction, reconstruction, or replacement;

41     (2) construction, reconstruction, or replacement of travel lanes, intersections,  
 42     and grade separations;

43     (3) relocation and modernization of existing roads; and

44     (4) right-of-way, relocation, and engineering and consulting expenses associated  
 45     with any of the above types of projects.

46  
 47     **CROSSROADS 2000 PROGRAM**

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

49        Lease Rental Payment Expense	38,400,000	38,400,000
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1           **Augmentation allowed.**  
2           **State Highway Fund (IC 8-23-9-54)**  
3           **Lease Rental Payment Expense**           **4,657,882**           **5,070,335**  
4           **Augmentation allowed.**

5  
6           **The above appropriations for the crossroads 2000 program shall be first used for**  
7           **payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds**  
8           **remain, the funds may be used for the following purposes:**  
9           **(1) road and bridge construction, reconstruction, or replacement;**  
10          **(2) construction, reconstruction, or replacement of travel lanes, intersections, and**  
11          **grade separations;**  
12          **(3) relocation and modernization of existing roads; and**  
13          **(4) right-of-way, relocation, and engineering and consulting expenses associated**  
14          **with any of the above types of projects.**

15  
16          **JOINT MAJOR MOVES CONSTRUCTION**  
17          **Major Moves Construction Fund (IC 8-14-14-5)**  
18          **Formal Contracts Expense**           **151,862,686**           **0**

19          **Augmentation allowed.**  
20          **FEDERAL APPORTIONMENT**  
21          **Formal Contracts Expense**           **1,184,000,000**           **1,091,666,667**

22  
23          **The department may establish an account to be known as the "local government**  
24          **revolving account". The account is to be used to administer the federal-local highway**  
25          **construction program. All contracts issued and all funds received for federal-local**  
26          **projects under this program shall be entered into this account.**

27  
28          **If the federal apportionments for the fiscal years covered by this act exceed the**  
29          **above estimated appropriations for the department or for local governments, the**  
30          **excess federal apportionment is hereby appropriated for use by the department with**  
31          **the approval of the governor and the budget agency.**

32  
33          **The department shall bill, in a timely manner, the federal government for all**  
34          **department payments that are eligible for total or partial reimbursement.**

35  
36          **The department may let contracts and enter into agreements for construction and**  
37          **preliminary engineering during each year of the 2021-2023 biennium that obligate**  
38          **not more than one-third (1/3) of the amount of state funds estimated by the department**  
39          **to be available for appropriation in the following year for formal contracts and**  
40          **consulting engineers for the capital improvements program.**

41  
42          **Under IC 8-23-5-7(a), the department, with the approval of the governor, may**  
43          **construct and maintain roadside parks and highways where highways will connect any**  
44          **state highway now existing, or hereafter constructed, with any state park, state**  
45          **forest preserve, state game preserve, or the grounds of any state institution. There**  
46          **is appropriated to the department of transportation an amount sufficient to carry**  
47          **out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations**  
48          **shall be made from the motor vehicle highway account before distribution to local**  
49          **units of government.**



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**LOCAL TECHNICAL ASSISTANCE AND RESEARCH**

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

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

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:  
 (1) the program of technical assistance under IC 8-23-2-5(a)(6); and  
 (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

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

Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:  
 (1) one-half (1/2) from the thirty-eight percent (38%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and  
 (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

**OHIO RIVER BRIDGE**

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

<b>Total Operating Expense</b>	<b>500,000</b>	<b>500,000</b>
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**SECTION 8. [EFFECTIVE JULY 1, 2021]**

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

**A. FAMILY AND SOCIAL SERVICES**

**FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION**

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

<b>Total Operating Expense</b>	<b>13,602,650</b>	<b>13,602,650</b>
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**SOCIAL SERVICES DATA WAREHOUSE**

<b>Total Operating Expense</b>	<b>38,273</b>	<b>38,273</b>
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1	<b>211 SERVICES</b>		
2	<b>Total Operating Expense</b>	<b>1,263,519</b>	<b>1,263,519</b>
3	<b>INDIANA PRESCRIPTION DRUG PROGRAM</b>		
4	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
5	<b>Total Operating Expense</b>	<b>443,315</b>	<b>443,315</b>
6	<b>CHILDREN'S HEALTH INSURANCE PROGRAM ASSISTANCE</b>		
7	<b>Total Operating Expense</b>	<b>53,670,000</b>	<b>52,170,000</b>
8	<b>CHILDREN'S HEALTH INSURANCE PROGRAM ADMINISTRATION</b>		
9	<b>Total Operating Expense</b>	<b>1,403,000</b>	<b>1,403,000</b>
10	<b>OMPP STATE PROGRAMS</b>		
11	<b>Total Operating Expense</b>	<b>713,924</b>	<b>713,924</b>
12	<b>MEDICAID ADMINISTRATION</b>		
13	<b>Total Operating Expense</b>	<b>36,451,919</b>	<b>36,451,919</b>
14	<b>MEDICAID ASSISTANCE</b>		
15	<b>Total Operating Expense</b>	<b>2,747,200,000</b>	<b>2,873,000,000</b>

16  
17 **The above appropriations for Medicaid assistance and for Medicaid administration**  
18 **are for the purpose of enabling the office of Medicaid policy and planning to carry**  
19 **out all services as provided in IC 12-8-6.5. In addition to the above appropriations,**  
20 **all money received from the federal government and paid into the state treasury**  
21 **as a grant or allowance is appropriated and shall be expended by the office of Medicaid**  
22 **policy and planning for the respective purposes for which the money was allocated**  
23 **and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein**  
24 **appropriated for Medicaid assistance and for Medicaid administration are insufficient**  
25 **to enable the office of Medicaid policy and planning to meet its obligations, then**  
26 **there is appropriated from the general fund such further sums as may be necessary**  
27 **for that purpose, subject to the approval of the governor and the budget agency.**  
28

29 **HEALTHY INDIANA PLAN**

30	<b>Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)</b>		
31	<b>Total Operating Expense</b>	<b>103,034,565</b>	<b>99,134,565</b>
32	<b>Augmentation allowed.</b>		
33	<b>MARION COUNTY HEALTH AND HOSPITAL CORPORATION</b>		
34	<b>Total Operating Expense</b>	<b>32,300,000</b>	<b>32,300,000</b>
35	<b>MENTAL HEALTH ADMINISTRATION</b>		
36	<b>Total Operating Expense</b>	<b>2,480,903</b>	<b>2,480,903</b>

37  
38 **Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation**  
39 **shall be distributed annually to neighborhood based community service**  
40 **programs.**  
41

42 **MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT**

43	<b>Total Operating Expense</b>	<b>20,000,000</b>	<b>20,000,000</b>
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44  
45 **The Family and Social Services Administration shall report to the State Budget Committee**  
46 **prior to November 1, 2021, on the mental health and addiction forensic treatment**  
47 **services grant program including the amounts of the awards and grants, the number**  
48 **of recipients receiving services, and the impacts of the program in reducing incarceration**  
49 **and recidivism.**



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**CHILD PSYCHIATRIC SERVICES**

<b>Total Operating Expense</b>	<b>13,458,508</b>	<b>13,458,508</b>
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The above appropriation includes \$4,500,000 in both FY 2022 and FY 2023 for the Family and Social Services Administration to contract with no more than three regionally diverse social services providers to implement an evidence-based program that partners with school corporations, charter schools, and accredited nonpublic schools to provide social work services and evidence-based prevention programs to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy 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**

<b>Total Operating Expense</b>	<b>218,525</b>	<b>218,525</b>
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**SERIOUSLY EMOTIONALLY DISTURBED**

<b>Total Operating Expense</b>	<b>14,571,352</b>	<b>14,571,352</b>
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**SERIOUSLY MENTALLY ILL**

<b>Total Operating Expense</b>	<b>85,779,650</b>	<b>85,779,650</b>
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**Mental Health Centers Fund (IC 6-7-1-32.1)**

<b>Total Operating Expense</b>	<b>2,454,890</b>	<b>2,454,890</b>
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Augmentation allowed.

**COMMUNITY MENTAL HEALTH CENTERS**

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

<b>Total Operating Expense</b>	<b>7,200,000</b>	<b>7,200,000</b>
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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)**

<b>Total Operating Expense</b>	<b>3,047,034</b>	<b>3,047,034</b>
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Augmentation allowed.

**SUBSTANCE ABUSE TREATMENT**

**Addiction Services Fund (IC 12-23-2)**

<b>Total Operating Expense</b>	<b>1,257,131</b>	<b>1,257,131</b>
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	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>QUALITY ASSURANCE/RESEARCH</b>		
2			
3			
4	<b>PREVENTION</b>		
5			
6			
7	<b>ADDITION SERVICES FUND (IC 12-23-2)</b>		
8			
9			
10			
11	<b>METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM</b>		
12			
13			
14	<b>OPIOID TREATMENT PROGRAM FUND (IC 12-23-18-4)</b>		
15			
16			
17			
18	<b>DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM</b>		
19			
20			
21	<b>TOBACCO MASTER SETTLEMENT AGREEMENT FUND (IC 4-12-1-14.3)</b>		
22			
23			
24			
25	<b>EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER</b>		
26			
27			
28	<b>MENTAL HEALTH FUND (IC 12-24-14-4)</b>		
29			
30			
31			
32	<b>EVANSVILLE STATE HOSPITAL</b>		
33			
34			
35			
36			
37	<b>LARUE CARTER MEMORIAL HOSPITAL</b>		
38			
39			
40	<b>LOGANSPOUR STATE HOSPITAL</b>		
41			
42			
43			
44	<b>MENTAL HEALTH FUND (IC 12-24-14-4)</b>		
45			
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47			
48	<b>MADISON STATE HOSPITAL</b>		
49			
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52	<b>RICHMOND STATE HOSPITAL</b>		
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56			
57	<b>NEURO DIAGNOSTIC INSTITUTE</b>		
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2 **The federal share of revenue accruing to the state mental health institutions under**  
3 **IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP),**  
4 **shall be deposited in the mental health fund established by IC 12-24-14, and the**  
5 **remainder shall be deposited in the general fund.**  
6

7 **DIVISION OF FAMILY RESOURCES ADMINISTRATION**

8 **Total Operating Expense** 1,994,565 1,994,565

9 **EBT ADMINISTRATION**

10 **Total Operating Expense** 114,079 114,079

11 **DFR - COUNTY ADMINISTRATION**

12 **Total Operating Expense** 85,115,284 84,315,284

13 **INDIANA ELIGIBILITY SYSTEM**

14 **Total Operating Expense** 8,377,529 8,377,529

15 **SNAP/IMPACT ADMINISTRATION**

16 **Total Operating Expense** 9,555,726 9,555,726

17 **TEMPORARY ASSISTANCE TO NEEDY FAMILIES – STATE APPROPRIATION**

18 **Total Operating Expense** 17,886,301 17,886,301

19 **BURIAL EXPENSES**

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

21 **Total Operating Expense** 5,816,761 5,816,761

22 **DIVISION OF AGING ADMINISTRATION**

23 **Total Operating Expense** 751,057 751,057

24 **DIVISION OF AGING SERVICES**

25 **Total Operating Expense** 563,561 563,561

26 **ROOM AND BOARD ASSISTANCE (R-CAP)**

27 **Total Operating Expense** 6,483,801 6,483,801

28 **C.H.O.I.C.E. IN-HOME SERVICES**

29 **Total Operating Expense** 43,914,740 44,240,193

30  
31 **The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental**  
32 **transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.**  
33

34 **The intragovernmental transfers for use in the Medicaid aged and disabled waiver**  
35 **may not exceed \$18,000,000 annually.**  
36

37 **The division of aging shall conduct an annual evaluation of the cost effectiveness**  
38 **of providing home and community-based services. Before January of each year, the**  
39 **division shall submit a report to the budget committee, the budget agency, and the**  
40 **legislative council (in an electronic format under IC 5-14-6) that covers all aspects**  
41 **of the division's evaluation and such other information pertaining thereto as may**  
42 **be requested by the budget committee, the budget agency, or the legislative council,**  
43 **including the following:**

44 **(1) the number and demographic characteristics of the recipients of home and**  
45 **community-based services during the preceding fiscal year, including a separate**  
46 **count of individuals who received no services other than case management services**  
47 **(as defined in 455 IAC 2-4-10) during the preceding fiscal year;**

48 **(2) the total cost and per recipient cost of providing home and community-based**  
49 **services during the preceding fiscal year.**





1  
 2     **In the development of new community residential settings for persons with developmental**  
 3     **disabilities, the division of disability and rehabilitative services must give priority to**  
 4     **the appropriate placement of such persons who are eligible for Medicaid and currently**  
 5     **residing in intermediate care or skilled nursing facilities and, to the extent permitted**  
 6     **by law, such persons who reside with aged parents or guardians or families in crisis.**  
 7

8           **SCHOOL AGE CHILD CARE PROJECT FUND**

9 <b>Total Operating Expense</b>	812,413	812,413
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10  
 11     **The above appropriations are made under IC 6-7-1-30.2(c) and not in addition to the**  
 12     **transfer required by IC 6-7-1-30.2(c).**  
 13

14           **EARLY CHILDHOOD LEARNING**

15 <b>Total Operating Expense</b>	28,860,246	28,860,246
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16           **PRE-K EDUCATION PILOT**

17 <b>Total Operating Expense</b>	22,005,069	22,005,069
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18  
 19     **FOR THE DEPARTMENT OF CHILD SERVICES**

20           **CHILD SERVICES ADMINISTRATION**

21 <b>Total Operating Expense</b>	266,841,467	266,841,467
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22           **DHHS CHILD WELFARE PROGRAM**

23 <b>Total Operating Expense</b>	46,554,199	46,554,199
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24           **CHILD WELFARE SERVICES STATE GRANTS**

25 <b>Total Operating Expense</b>	11,416,415	11,416,415
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26           **TITLE IV-D CHILD SUPPORT**

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

32           **FAMILY AND CHILDREN FUND**

33 <b>Total Operating Expense</b>	482,376,260	482,376,260
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34           **Augmentation allowed.**  
 35

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

- 37     **(1) Operate an early intervention, home-based program pursuant to IC 31-33-8-16.**  
 38     **(2) Enter into a memorandum of understanding with the Public Defender Council and**  
 39     **Commission to recruit, train, and reimburse public defenders for the support of**  
 40     **at risk youth and families.**  
 41

42           **YOUTH SERVICE BUREAU**

43 <b>Total Operating Expense</b>	1,008,947	1,008,947
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44           **PROJECT SAFEPLACE**

45 <b>Total Operating Expense</b>	112,000	112,000
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46           **HEALTHY FAMILIES INDIANA**

47 <b>Total Operating Expense</b>	3,093,145	3,093,145
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48           **ADOPTION SERVICES**

49 <b>Total Operating Expense</b>	26,362,735	26,362,735
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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>
1	<b>TITLE IV-E ADOPTION SERVICES</b>		
2	<b>Total Operating Expense</b>	<b>31,489,886</b>	<b>31,489,886</b>
3			
4	<b>FOR THE DEPARTMENT OF ADMINISTRATION</b>		
5	<b>DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU</b>		
6	<b>Total Operating Expense</b>	<b>362,000</b>	<b>362,000</b>
7			
8	<b>B. PUBLIC HEALTH</b>		
9			
10	<b>FOR THE STATE DEPARTMENT OF HEALTH</b>		
11	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
12	<b>Personal Services</b>	<b>18,627,727</b>	<b>18,627,727</b>
13	<b>Other Operating Expense</b>	<b>4,484,468</b>	<b>4,484,468</b>
14	<b>Augmentation allowed.</b>		
15			
16	<b>All receipts to the state department of health from licenses or permit fees shall</b>		
17	<b>be deposited in the state general fund.</b>		
18			
19	<b>AREA HEALTH EDUCATION CENTERS</b>		
20	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
21	<b>Total Operating Expense</b>	<b>2,630,676</b>	<b>2,630,676</b>
22	<b>MINORITY HEALTH INITIATIVE</b>		
23	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
24	<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
25			
26	<b>The above appropriations shall be allocated to the Indiana Minority Health Coalition</b>		
27	<b>to work with the state department on the implementation of IC 16-46-11.</b>		
28			
29	<b>SICKLE CELL</b>		
30	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
31	<b>Total Operating Expense</b>	<b>750,000</b>	<b>750,000</b>
32	<b>MEDICARE-MEDICAID CERTIFICATION</b>		
33	<b>Total Operating Expense</b>	<b>5,079,399</b>	<b>5,079,399</b>
34			
35	<b>Augmentation allowed in amounts not to exceed revenue from health facilities</b>		
36	<b>license fees or from health care providers (as defined in IC 16-18-2-163) fee</b>		
37	<b>increases or those adopted by the Executive Board of the Indiana State Department</b>		
38	<b>of Health under IC 16-19-3.</b>		
39			
40	<b>INFECTIOUS DISEASE</b>		
41	<b>Total Operating Expense</b>	<b>1,390,325</b>	<b>1,390,325</b>
42	<b>NUTRITION ASSISTANCE</b>		
43	<b>Total Operating Expense</b>	<b>280,806</b>	<b>280,806</b>
44	<b>HIV/AIDS SERVICES</b>		
45	<b>Total Operating Expense</b>	<b>2,925,101</b>	<b>2,925,101</b>
46	<b>CANCER PREVENTION</b>		
47	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
48	<b>Total Operating Expense</b>	<b>664,122</b>	<b>664,122</b>
49	<b>MATERNAL &amp; CHILD HEALTH INITIATIVES</b>		



	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>Total Operating Expense</b>	<b>239,639</b>	<b>239,639</b>
2	<b>TUBERCULOSIS TREATMENT</b>		
3	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
4	<b>Total Operating Expense</b>	<b>100,000</b>	<b>100,000</b>
5	<b>STATE CHRONIC DISEASES</b>		
6	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
7	<b>Total Operating Expense</b>	<b>862,488</b>	<b>862,488</b>
8			
9	<b>At least \$82,560 of the above appropriations shall be distributed as grants to community</b>		
10	<b>groups and organizations as provided in IC 16-46-7-8. The state department of health</b>		
11	<b>may consider grants to the Kidney Foundation up to \$50,000.</b>		
12			
13	<b>OB NAVIGATOR PROGRAM</b>		
14	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
15	<b>Total Operating Expense</b>	<b>3,300,000</b>	<b>3,300,000</b>
16	<b>ADOPTION HISTORY</b>		
17	<b>Adoption History Fund (IC 31-19-18-6)</b>		
18	<b>Total Operating Expense</b>	<b>195,163</b>	<b>195,163</b>
19	<b>Augmentation allowed.</b>		
20	<b>CHILDREN WITH SPECIAL HEALTH CARE NEEDS</b>		
21	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
22	<b>Total Operating Expense</b>	<b>14,950,000</b>	<b>14,950,000</b>
23	<b>Augmentation allowed.</b>		
24	<b>NEWBORN SCREENING PROGRAM</b>		
25	<b>Newborn Screening Fund (IC 16-41-17-11)</b>		
26	<b>Total Operating Expense</b>	<b>2,677,762</b>	<b>2,677,762</b>
27	<b>Augmentation allowed.</b>		
28	<b>CENTER FOR DEAF AND HARD OF HEARING EDUCATION</b>		
29	<b>Total Operating Expense</b>	<b>2,452,677</b>	<b>2,452,677</b>
30	<b>RADON GAS TRUST FUND</b>		
31	<b>Radon Gas Trust Fund (IC 16-41-38-8)</b>		
32	<b>Total Operating Expense</b>	<b>10,670</b>	<b>10,670</b>
33	<b>Augmentation allowed.</b>		
34	<b>HEALTH ISSUES AND CHALLENGES GRANTS</b>		
35	<b>Total Operating Expense</b>		<b>50,000,000</b>
36	<b>SAFETY PIN PROGRAM</b>		
37	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
38	<b>Total Operating Expense</b>	<b>5,500,000</b>	<b>5,500,000</b>
39	<b>BIRTH PROBLEMS REGISTRY</b>		
40	<b>Birth Problems Registry Fund (IC 16-38-4-17)</b>		
41	<b>Total Operating Expense</b>	<b>73,517</b>	<b>73,517</b>
42	<b>Augmentation allowed.</b>		
43	<b>MOTOR FUEL INSPECTION PROGRAM</b>		
44	<b>Motor Fuel Inspection Fund (IC 16-44-3-10)</b>		
45	<b>Total Operating Expense</b>	<b>239,125</b>	<b>239,125</b>
46	<b>Augmentation allowed.</b>		
47	<b>DONATED DENTAL SERVICES</b>		
48	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
49	<b>Total Operating Expense</b>	<b>34,335</b>	<b>34,335</b>





1  
2 **The above appropriations shall be used by the Indiana foundation for dentistry to**  
3 **provide dental services to individuals who are handicapped.**  
4

5 **OFFICE OF WOMEN'S HEALTH**

6 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
7 **Total Operating Expense** 96,970 96,970

8 **SPINAL CORD AND BRAIN INJURY**

9 **Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)**  
10 **Total Operating Expense** 1,600,000 1,600,000

11 **Augmentation allowed.**

12 **IMMUNIZATIONS AND HEALTH INITIATIVES**

13 **Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)**  
14 **Total Operating Expense** 10,665,435 10,665,435

15 **WEIGHTS AND MEASURES FUND**

16 **Weights and Measures Fund (IC 16-19-5-4)**  
17 **Total Operating Expense** 7,106 7,106

18 **Augmentation allowed.**

19 **MINORITY EPIDEMIOLOGY**

20 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
21 **Total Operating Expense** 750,000 750,000

22 **COMMUNITY HEALTH CENTERS**

23 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
24 **Total Operating Expense** 14,453,000 14,453,000

25 **PRENATAL SUBSTANCE USE & PREVENTION**

26 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
27 **Total Operating Expense** 119,965 119,965

28 **OPIOID OVERDOSE INTERVENTION**

29 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
30 **Total Operating Expense** 250,000 250,000

31 **NURSE FAMILY PARTNERSHIP**

32 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
33 **Total Operating Expense** 5,000,000 5,000,000

34 **HEARING AND BLIND SERVICES**

35 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
36 **Total Operating Expense** 500,000 500,000

37  
38 **Of the above appropriations for hearing and blind services, \$375,000 shall be annually**  
39 **deposited in the Hearing Aid Fund established under IC 16-35-8-3.**  
40

41 **LOCAL HEALTH MAINTENANCE FUND**

42 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**  
43 **Total Operating Expense** 3,915,209 3,915,209

44 **Augmentation allowed.**  
45

46 **The amount appropriated from the tobacco master settlement agreement fund is in**  
47 **lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law.**  
48 **Of the above appropriations for the local health maintenance fund, \$60,000 each year**  
49 **shall be used to provide additional funding to adjust funding through the formula in**



1      **IC 16-46-10 to reflect population increases in various counties. Money appropriated**  
 2      **to the local health maintenance fund must be allocated under the following schedule**  
 3      **each year to each local board of health whose application for funding is approved by**  
 4      **the state department of health:**

6      COUNTY POPULATION	AMOUNT OF GRANT	
7      over 499,999	94,112	
8      100,000 - 499,999	72,672	
9      50,000 - 99,999	48,859	
10     under 50,000	33,139	

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

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

19      TOBACCO USE PREVENTION AND CESSATION PROGRAM		
20      Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
21      Total Operating Expense	7,500,000	7,500,000

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

26      FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED		
27      Personal Services	9,521,121	9,521,121
28      Other Operating Expense	1,876,205	1,876,205

30      FOR THE INDIANA SCHOOL FOR THE DEAF		
31      Personal Services	14,394,996	14,394,996
32      Other Operating Expense	2,238,712	2,238,712

34      **C. VETERANS' AFFAIRS**

36      FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS		
37      Personal Services	1,452,580	1,452,580
38      Other Operating Expense	785,536	785,536

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

44      VETERAN SERVICE ORGANIZATIONS		
45      Total Operating Expense	910,000	910,000

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





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

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

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

**FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE**

**INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE**

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

Total Operating Expense	2,068,129	2,109,492
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**INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY**

Total Operating Expense	2,766,537	2,821,868
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**INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE**

Total Operating Expense	2,513,302	2,563,568
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**INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE**

Total Operating Expense	2,300,988	2,347,008
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**INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND**

Total Operating Expense	2,163,502	2,206,772
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**INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE**

Total Operating Expense	2,500,983	2,551,003
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The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

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

**GENERAL ACADEMIC DIVISIONS**

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

**TOTAL APPROPRIATIONS - IUPUI**

247,259,814 260,703,096

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

**DUAL CREDIT**

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

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

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

Total Operating Expense	553,429	553,429
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1           **INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES**  
2           **Total Operating Expense**                           **2,491,824**                           **2,491,824**

3  
4           **Of the above appropriations, \$386,000 per year shall be used to provide technology**  
5           **support, technical assistance, and school improvement assistance to aid in educating**  
6           **students with autism and other developmental disabilities.**

7  
8           **GEOLOGICAL SURVEY**  
9           **Total Operating Expense**                           **2,783,782**                           **2,783,782**

10          **I-LIGHT NETWORK OPERATIONS**  
11          **Total Operating Expense**                           **1,508,628**                           **1,508,628**

12          **GIGAPOP PROJECT**  
13          **Total Operating Expense**                           **672,562**                           **672,562**

14  
15          **FOR PURDUE UNIVERSITY**  
16          **WEST LAFAYETTE**  
17          **Total Operating Expense**                           **222,755,871**                           **223,527,695**  
18          **Fee Replacement**                                       **32,152,425**                           **29,002,950**

19          **NORTHWEST**  
20          **Total Operating Expense**                           **46,730,203**                           **48,297,564**  
21          **Fee Replacement**                                       **3,892,013**                           **3,891,013**

22          **FORT WAYNE**  
23          **Total Operating Expense**                           **43,460,880**                           **44,856,416**  
24          **Fee Replacement**                                       **3,039,750**                           **3,036,000**

25          **COLLEGE OF VETERINARY MEDICINE**  
26          **Total Operating Expense**                           **18,056,523**                           **18,417,653**

27  
28          **Transfers of allocations between campuses to correct for errors in allocation**  
29          **among the campuses of Purdue University can be made by the institution with the**  
30          **approval of the commission for higher education and the budget agency.**

31  
32          **DUAL CREDIT**  
33          **Total Operating Expense**                           **1,018,450**                           **1,018,450**

34  
35          **ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM**  
36          **Total Operating Expense**                           **3,711,561**                           **3,711,561**

37  
38          **The above appropriations shall be used to fund the animal disease diagnostic**  
39          **laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the**  
40          **bangs disease testing service at West Lafayette, and the southern branch of ADDL**  
41          **Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above**  
42          **appropriations are in addition to any user charges that may be established and**  
43          **collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of**  
44          **Purdue University may approve reasonable charges for testing for pseudorabies.**

45  
46          **STATEWIDE TECHNOLOGY**  
47          **Total Operating Expense**                           **6,695,258**                           **6,695,258**

48          **COUNTY AGRICULTURAL EXTENSION EDUCATORS**  
49          **Total Operating Expense**                           **7,487,816**                           **7,487,816**



1	<b>AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS</b>		
2	<b>Total Operating Expense</b>	<b>8,492,325</b>	<b>8,492,325</b>
3	<b>CENTER FOR PARALYSIS RESEARCH</b>		
4	<b>Total Operating Expense</b>	<b>522,558</b>	<b>522,558</b>
5	<b>IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM</b>		
6	<b>Total Operating Expense</b>	<b>4,430,212</b>	<b>4,430,212</b>
7			
8	<b>FOR INDIANA STATE UNIVERSITY</b>		
9	<b>Total Operating Expense</b>	<b>72,063,968</b>	<b>74,498,951</b>
10	<b>Fee Replacement</b>	<b>11,044,480</b>	<b>11,051,288</b>
11	<b>DUAL CREDIT</b>		
12	<b>Total Operating Expense</b>	<b>221,800</b>	<b>221,800</b>
13	<b>NURSING PROGRAM</b>		
14	<b>Total Operating Expense</b>	<b>204,000</b>	<b>204,000</b>
15	<b>PRINCIPAL LEADERSHIP ACADEMY</b>		
16	<b>Total Operating Expense</b>	<b>600,000</b>	<b>600,000</b>
17	<b>DEGREE LINK</b>		
18	<b>Total Operating Expense</b>	<b>446,438</b>	<b>446,438</b>
19			
20	<b>FOR UNIVERSITY OF SOUTHERN INDIANA</b>		
21	<b>Total Operating Expense</b>	<b>48,210,149</b>	<b>51,038,023</b>
22	<b>Fee Replacement</b>	<b>14,377,159</b>	<b>12,317,288</b>
23	<b>DUAL CREDIT</b>		
24	<b>Total Operating Expense</b>	<b>617,200</b>	<b>617,200</b>
25	<b>HISTORIC NEW HARMONY</b>		
26	<b>Total Operating Expense</b>	<b>486,878</b>	<b>486,878</b>
27			
28	<b>FOR BALL STATE UNIVERSITY</b>		
29	<b>Total Operating Expense</b>	<b>134,408,873</b>	<b>133,010,951</b>
30	<b>Fee Replacement</b>	<b>24,739,019</b>	<b>24,741,019</b>
31	<b>DUAL CREDIT</b>		
32	<b>Total Operating Expense</b>	<b>265,350</b>	<b>265,350</b>
33	<b>ENTREPRENEURIAL COLLEGE</b>		
34	<b>Total Operating Expense</b>	<b>2,500,000</b>	<b>2,500,000</b>
35	<b>ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES</b>		
36	<b>Total Operating Expense</b>	<b>4,384,956</b>	<b>4,384,956</b>
37			
38	<b>FOR VINCENNES UNIVERSITY</b>		
39	<b>Total Operating Expense</b>	<b>43,561,521</b>	<b>44,475,375</b>
40	<b>Fee Replacement</b>	<b>6,204,550</b>	<b>5,507,270</b>
41	<b>DUAL CREDIT</b>		
42	<b>Total Operating Expense</b>	<b>4,794,850</b>	<b>4,794,850</b>
43	<b>CAREER AND TECHNICAL EARLY COLLEGE PROGRAM</b>		
44	<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
45			
46	<b>Additional Early College sites may be established upon approval by the Commission for</b>		
47	<b>Higher Education and review by the budget committee.</b>		
48			
49	<b>FOR IVY TECH COMMUNITY COLLEGE</b>		



		<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
		<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	<b>Total Operating Expense</b>	<b>229,890,923</b>	<b>235,110,368</b>	
2	<b>Fee Replacement</b>	<b>28,938,873</b>	<b>28,484,398</b>	
3	<b>DUAL CREDIT</b>			
4	<b>Total Operating Expense</b>	<b>18,970,800</b>	<b>18,970,800</b>	
5	<b>STATEWIDE NURSING</b>			
6	<b>Total Operating Expense</b>	<b>85,411</b>	<b>85,411</b>	
7	<b>TESTING CENTERS</b>			
8	<b>Total Operating Expense</b>	<b>710,810</b>	<b>710,810</b>	
9	<b>INDIANA RURAL EDUCATION INITIATIVE</b>			
10	<b>Total Operating Expense</b>	<b>1,057,738</b>	<b>1,057,738</b>	

11  
12 **The sums herein appropriated to Indiana University, Purdue University, Indiana State**  
13 **University, University of Southern Indiana, Ball State University, Vincennes University,**  
14 **and Ivy Tech Community College are in addition to all income of said institutions,**  
15 **respectively, from all permanent fees and endowments and from all land grants, fees,**  
16 **earnings, and receipts, including gifts, grants, bequests, and devises, and receipts**  
17 **from any miscellaneous sales from whatever source derived.**

18  
19 **All such income and all such fees, earnings, and receipts on hand June 30, 2021,**  
20 **and all such income and fees, earnings, and receipts accruing thereafter are hereby**  
21 **appropriated to the boards of trustees or directors of the aforementioned institutions**  
22 **and may be expended for any necessary expenses of the respective institutions, including**  
23 **university hospitals, schools of medicine, nurses' training schools, schools of dentistry,**  
24 **and agricultural extension and experimental stations. However, such income, fees,**  
25 **earnings, and receipts may be used for land and structures only if approved by the**  
26 **governor and the budget agency.**

27  
28 **The above appropriations to Indiana University, Purdue University, Indiana State**  
29 **University, University of Southern Indiana, Ball State University, Vincennes University,**  
30 **and Ivy Tech Community College include the employers' share of Social Security payments**  
31 **for university employees under the public employees' retirement fund, or institutions**  
32 **covered by the Indiana state teachers' retirement fund. The funds appropriated also**  
33 **include funding for the employers' share of payments to the public employees' retirement**  
34 **fund and to the Indiana state teachers' retirement fund at a rate to be established**  
35 **by the retirement funds for both fiscal years for each institution's employees covered**  
36 **by these retirement plans.**

37  
38 **The treasurers of Indiana University, Purdue University, Indiana State University,**  
39 **University of Southern Indiana, Ball State University, Vincennes University, and**  
40 **Ivy Tech Community College shall, at the end of each three (3) month period,**  
41 **prepare and file with the auditor of state a financial statement that shall show**  
42 **in total all revenues received from any source, together with a consolidated**  
43 **statement of disbursements for the same period. The budget director shall**  
44 **establish the requirements for the form and substance of the reports.**

45  
46 **The reports of the treasurer also shall contain in such form and in such detail as**  
47 **the governor and the budget agency may specify, complete information concerning**  
48 **receipts from all sources, together with any contracts, agreements, or arrangements**  
49 **with any federal agency, private foundation, corporation, or other entity from which**



1      such receipts accrue.

2  
3      All such treasurers' reports are matters of public record and shall include without  
4      limitation a record of the purposes of any and all gifts and trusts with the sole  
5      exception of the names of those donors who request to remain anonymous.

6  
7      Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers  
8      of Indiana University, Purdue University, Indiana State University, University of  
9      Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community  
10     College on the basis of vouchers stating the total amount claimed against each fund or  
11     account, or both, but not to exceed the legally made appropriations.

12  
13     For universities and colleges supported in whole or in part by state funds, grant  
14     applications and lists of applications need only be submitted upon request to the  
15     budget agency for review and approval or disapproval and, unless disapproved by  
16     the budget agency, federal grant funds may be requested and spent without approval  
17     by the budget agency.

18  
19     For all university special appropriations, an itemized list of intended expenditures,  
20     in such form as the governor and the budget agency may specify, shall be submitted  
21     to support the allotment request. All budget requests for university special appropriations  
22     shall be furnished in a like manner and as a part of the operating budgets of the state  
23     universities.

24  
25     The trustees of Indiana University, the trustees of Purdue University, the trustees  
26     of Indiana State University, the trustees of University of Southern Indiana, the  
27     trustees of Ball State University, the trustees of Vincennes University, and the  
28     trustees of Ivy Tech Community College are hereby authorized to accept federal grants,  
29     subject to IC 4-12-1.

30  
31     Fee replacement funds are to be distributed as requested by each institution, on  
32     payment due dates, subject to available appropriations.

33  
34     **FOR THE MEDICAL EDUCATION BOARD**  
35     **FAMILY PRACTICE RESIDENCY FUND**

36     Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)  
37     Total Operating Expense                      1,852,698                      1,852,698

38  
39     Of the above appropriations, \$1,000,000 each year shall be distributed as grants  
40     for the purpose of improving family practice residency programs serving medically  
41     underserved areas.

42  
43     **FOR THE GRADUATE MEDICAL EDUCATION BOARD**  
44     **MEDICAL RESIDENCY EDUCATION GRANTS**

45     Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)  
46     Total Operating Expense                      4,000,000                      4,000,000

47  
48     The above appropriations for medical residency education grants are to be distributed  
49     in accordance with IC 21-13-6.5.





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<b>FOR THE COMMISSION FOR HIGHER EDUCATION</b>		
Total Operating Expense	2,764,059	2,764,059
<b>FREEDOM OF CHOICE GRANTS</b>		
Total Operating Expense	66,225,902	66,225,902
<b>HIGHER EDUCATION AWARD PROGRAM</b>		
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) The commission shall maintain the proportionality of award maximums for public, private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
- (2) Minimum Award: No award shall be less than \$600.
- (3) The commission shall reduce award amounts as necessary to stay within the appropriation.

<b>TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND PUBLIC SAFETY OFFICERS</b>		
Total Operating Expense	31,773,696	31,773,696
<b>MIDWEST HIGHER EDUCATION COMPACT</b>		
Total Operating Expense	115,000	115,000
<b>ADULT STUDENT GRANT APPROPRIATION</b>		
Total Operating Expense	7,579,858	7,579,858

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

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

<b>STEM TEACHER RECRUITMENT FUND</b>		
Total Operating Expense	5,000,000	5,000,000

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

**TEACHER RESIDENCY GRANT PROGRAM (IC 21-18-15.1)**



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>
2	<b>MINORITY TEACHER SCHOLARSHIP FUND (IC 21-13-2-1)</b>		
3	<b>Total Operating Expense</b>	<b>400,000</b>	<b>400,000</b>
4	<b>HIGH NEED STUDENT TEACHING STIPEND FUND (IC 21-13-7)</b>		
5	<b>Total Operating Expense</b>	<b>450,000</b>	<b>450,000</b>
6	<b>MINORITY STUDENT TEACHING STIPEND FUND (IC 21-13-8)</b>		
7	<b>Total Operating Expense</b>	<b>50,000</b>	<b>50,000</b>
8	<b>EARN INDIANA WORK STUDY PROGRAM</b>		
9	<b>Total Operating Expense</b>	<b>606,099</b>	<b>606,099</b>
10	<b>21ST CENTURY - ADMINISTRATIVE</b>		
11	<b>Total Operating Expense</b>	<b>1,645,774</b>	<b>1,645,774</b>
12	<b>21ST CENTURY SCHOLAR AWARDS</b>		
13	<b>Total Operating Expense</b>	<b>166,270,623</b>	<b>166,270,623</b>
14			
15	<b>The commission shall collect and report to the family and social services administration</b>		
16	<b>(FSSA) all data required for FSSA to meet the data collection and reporting requirements</b>		
17	<b>in 45 CFR 265.</b>		
18			
19	<b>The division of family resources shall apply all qualifying expenditures for the 21st</b>		
20	<b>century scholar program toward Indiana's maintenance of effort under the federal</b>		
21	<b>Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).</b>		
22			
23	<b>WORK AND LEARN INDIANA</b>		
24	<b>Total Operating Expense</b>	<b>250,000</b>	<b>250,000</b>
25	<b>NEXT GENERATION HOOSIER EDUCATORS</b>		
26	<b>Total Operating Expense</b>	<b>6,082,400</b>	<b>6,082,400</b>
27	<b>NATIONAL GUARD TUITION SCHOLARSHIP</b>		
28	<b>Total Operating Expense</b>	<b>3,676,240</b>	<b>3,676,240</b>
29			
30	<b>The above appropriations for national guard scholarships plus reserve balances in</b>		
31	<b>the fund shall be the total allowable state expenditure for the program in the</b>		
32	<b>biennium.</b>		
33			
34	<b>PRIMARY CARE SCHOLARSHIP</b>		
35	<b>Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)</b>		
36	<b>Total Operating Expense</b>	<b>2,000,000</b>	<b>2,000,000</b>
37			
38	<b>The above appropriations for primary care scholarships shall be distributed in accordance</b>		
39	<b>with IC 21-13-9.</b>		
40			
41	<b>LEARN MORE INDIANA</b>		
42	<b>Total Operating Expense</b>	<b>582,295</b>	<b>582,295</b>
43	<b>STATEWIDE TRANSFER AND TECHNOLOGY</b>		
44	<b>Total Operating Expense</b>	<b>913,263</b>	<b>913,263</b>
45	<b>HIGH VALUE WORKFORCE READY CREDIT BEARING GRANT (IC 21-12-8)</b>		
46	<b>Total Operating Expense</b>	<b>1,000,000</b>	<b>1,000,000</b>
47			
48	<b>The above appropriations may be used to provide grants to adults who pursue high</b>		
49	<b>value certificates.</b>		



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**FOR THE DEPARTMENT OF ADMINISTRATION**  
**COLUMBUS LEARNING CENTER LEASE PAYMENT**  
**Total Operating Expense                    4,933,000**

**4,988,000**

**B. ELEMENTARY AND SECONDARY EDUCATION**

**FOR THE DEPARTMENT OF EDUCATION**  
**17,529,420    17,529,420**  
**Professional Standards Fund (IC 20-28-2-10)**  
**1,237,940    1,237,940**

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

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

<b>Personal Services</b>	<b>13,499,980</b>	<b>13,499,980</b>
<b>Other Operating Expense</b>	<b>5,267,380</b>	<b>5,267,380</b>

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

**PUBLIC TELEVISION DISTRIBUTION**

<b>Total Operating Expense</b>	<b>3,123,750</b>	<b>3,123,750</b>
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**The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public television stations for approval by the budget agency after review by the budget committee. Of the above appropriations, at least one seventh of the funds each year shall be set aside and distributed equally among all of the public radio stations.**

**STEM PROGRAM ALIGNMENT**

<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
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**The above appropriations for STEM program alignment shall be used to provide grants to high-need schools (as determined by a needs assessment conducted in partnership with a state research institution) for the purpose of implementing qualified STEM curricula and professional development plans, to develop methods of evaluating STEM curricula and professional development plans for the purpose of awarding STEM grants, to develop a system for measuring student growth in critical thinking, problem-solving, and other STEM-based skills in schools that receive STEM grants. The department shall provide an annual report to the general assembly, the office of the governor, and the state board of education describing the department's progress toward implementing the state's STEM plan. All data collected by the department shall be tracked electronically and shared with the management and performance hub for the purpose of collecting longitudinal data.**

**Of the above appropriations, \$300,000 each fiscal year shall be used to partner with the commission for higher education to provide professional development and**



1	<b>technical assistance to schools that pilot the transitions math course for students</b>		
2	<b>transitioning from secondary to post-secondary education.</b>		
3			
4	<b>INDIANA BAR FOUNDATION - WE THE PEOPLE</b>		
5	<b>Total Operating Expense</b>	<b>300,000</b>	<b>300,000</b>
6	<b>RILEY HOSPITAL</b>		
7	<b>Total Operating Expense</b>	<b>212,500</b>	<b>212,500</b>
8	<b>BEST BUDDIES</b>		
9	<b>Total Operating Expense</b>	<b>175,206</b>	<b>175,206</b>
10	<b>SCHOOL TRAFFIC SAFETY</b>		
11	<b>Total Operating Expense</b>	<b>227,143</b>	<b>227,143</b>
12	<b>CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM</b>		
13	<b>Total Operating Expense</b>	<b>36,700,000</b>	<b>47,500,000</b>
14	<b>Augmentation allowed.</b>		
15	<b>SPECIAL EDUCATION (S-5)</b>		
16	<b>Total Operating Expense</b>		<b>48,140,000</b>

17

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

19

20	<b>NEXT LEVEL COMPUTER SCIENCE PROGRAM</b>		
21	<b>Total Operating Expense</b>	<b>3,000,000</b>	<b>3,000,000</b>
22	<b>SPECIAL EDUCATION EXCISE</b>		
23	<b>Excise Tax Funds of the Alcohol Beverage Commission (IC 20-35-4-4)</b>		
24	<b>Total Operating Expense</b>	<b>172,856</b>	<b>172,856</b>
25	<b>Augmentation allowed.</b>		
26	<b>TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION</b>		
27	<b>Total Operating Expense</b>	<b>2,157,521</b>	<b>2,157,521</b>

28

29 **The above appropriations shall be distributed by the department of education on a**

30 **monthly basis and in approximately equal payments to special education cooperatives,**

31 **area career and technical education schools, and other governmental entities that**

32 **received state teachers' Social Security distributions for certified education personnel**

33 **(excluding the certified education personnel funded through federal grants) during**

34 **the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units**

35 **under the Indiana state teachers' retirement fund, the amount they received during**

36 **the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be**

37 **distributed is greater than the total appropriation, the department of education**

38 **shall reduce each entity's distribution proportionately.**

39

40	<b>DISTRIBUTION FOR TUITION SUPPORT</b>		
41	<b>Total Operating Expense</b>	<b>7,608,330,000</b>	<b>7,798,540,000</b>

42

43 **The above appropriations for tuition support are to be distributed in accordance**

44 **with a statute enacted for this purpose during the 2021 session of the general assembly.**

45

46 **If the above appropriations for distribution for tuition support are more than the**

47 **amount required by statute, the excess shall revert to the general fund.**

48

49 **The above appropriations for tuition support shall be made each fiscal year under**



1      a schedule set by the budget agency and approved by the governor. The schedule shall  
2      provide for at least twelve (12) payments made at least once every forty (40) days,  
3      and the aggregate of the payments in each fiscal year shall equal the amount required  
4      by statute.

5

6            **TEACHER APPRECIATION GRANTS**

7            Total Operating Expense                      37,500,000                      37,500,000

8

9      It is the intent of the 2021 general assembly that the above appropriations for  
10     teacher appreciation grants shall be the total allowable state expenditure for the  
11     program. If disbursements are anticipated to exceed the total appropriation for  
12     a state fiscal year, the department of education shall reduce the distributions  
13     proportionately.

14

15           **DISTRIBUTION FOR SUMMER SCHOOL**

16           Total Operating Expense                      18,360,000                      18,360,000

17

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

23

24           **DISTRIBUTION FOR ADULT LEARNERS**

25           Total Operating Expense                      40,331,250                      40,331,250

26           **EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT**

27           Total Operating Expense                      3,225,130                      3,225,130

28

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

31

32     The above appropriations may be used by the department of education for the reading  
33     diagnostic assessment and subsequent remedial programs or activities. The reading  
34     diagnostic assessment program, as approved by the board, is to be made available  
35     on a voluntary basis to all Indiana public and accredited nonpublic school first  
36     and second grade students upon the approval of the governing body of the school  
37     corporations or the accredited nonpublic school. The board shall determine how the  
38     funds will be distributed for the assessment and related remediation. The department  
39     or its representative shall provide progress reports on the assessment as requested  
40     by the board.

41

42           **NATIONAL SCHOOL LUNCH PROGRAM**

43           Total Operating Expense                      5,033,086                      5,108,582

44           **CURRICULAR MATERIAL REIMBURSEMENT**

45           Total Operating Expense                      39,000,000                      39,000,000

46

47     Before a school corporation or an accredited nonpublic school may receive a  
48     distribution under the textbook reimbursement program, the school corporation  
49     or accredited nonpublic school shall provide to the department the requirements



1 established in IC 20-33-5-2. The department shall provide to the family and social  
 2 services administration (FSSA) all data required for FSSA to meet the data collection  
 3 reporting requirement in 45 CFR 265. The family and social services administration,  
 4 division of family resources, shall apply all qualifying expenditures for the textbook  
 5 reimbursement program toward Indiana's maintenance of effort under the federal  
 6 Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).  
 7

8 **TESTING**

9 Total Operating Expense	22,355,000	22,355,000
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10  
 11 The above appropriations are for assessments, including special education alternate  
 12 assessments, as determined by the state board of education and the department of  
 13 education.  
 14

15 **REMEDATION TESTING**

16 Total Operating Expense	11,711,344	11,711,344
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17  
 18 The above appropriations for remediation testing are for grants to public and accredited  
 19 nonpublic schools through the department of education. Public and accredited nonpublic  
 20 schools shall use the grants to fund formative tests to identify students who require  
 21 remediation. Prior to distribution to public and accredited nonpublic schools, the  
 22 grant amounts and formula shall be submitted to the state board of education and  
 23 the budget agency for review and approval, and the department of education shall  
 24 provide a report to the budget committee.  
 25

26 **ADVANCED PLACEMENT PROGRAM**

27 Other Operating Expense	5,200,000	5,200,000
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28  
 29 The above appropriations for the Advanced Placement Program are to provide funding  
 30 for students of accredited public and nonpublic schools to take the College Board  
 31 Advanced Placement math, English, and science exams. Any remaining funds available  
 32 after exam fees have been paid shall be prioritized for use by teachers of math  
 33 and science Advanced Placement courses to attend professional development training  
 34 for those courses.  
 35

36 **PSAT PROGRAM**

37 Other Operating Expense	1,900,000	1,900,000
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38  
 39 The above appropriations for the PSAT program are to provide funding for students  
 40 of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.  
 41

42 **NON-ENGLISH SPEAKING PROGRAM**

43 Total Operating Expense	25,000,000	25,000,000
44 Augmentation allowed.		

45  
 46 The above appropriations for the Non-English Speaking Program are for students  
 47 who have a primary language other than English and limited English proficiency,  
 48 as determined by using the WIDA Consortium ACCESS assessment.  
 49



- 1      **The grant amount is determined as follows:**  
 2      **(1) Determine the number of students who score at level one (1) or level two (2)**  
 3      **on the WIDA Consortium ACCESS assessment or who are English language learners who**  
 4      **have severe special needs that require a different test to assess English proficiency**  
 5      **multiplied by four hundred seventy-seven dollars (\$477) for state fiscal years beginning**  
 6      **after June 30, 2021.**  
 7      **(2) Determine the number of students who score at level three (3) or level four (4)**  
 8      **on the WIDA Consortium ACCESS assessment or who score at level five (5) or higher**  
 9      **on the Tier A form of the WIDA Consortium ACCESS assessment multiplied by three**  
 10     **hundred thirty-three dollars (\$333) for state fiscal years beginning after June 30, 2021.**  
 11     **(3) Determine the sum of the subdivision (1) amount plus the subdivision (2) amount.**

12  
 13      **GIFTED AND TALENTED EDUCATION PROGRAM**  
 14              **Total Operating Expense**                      **11,095,389**                      **11,095,389**

15  
 16      **In each fiscal year, \$500,000 shall be made available to school corporations and**  
 17      **charter schools to purchase verbal and quantitative reasoning tests to be administered**  
 18      **to all students within the corporation or charter school that are enrolled in kindergarten,**  
 19      **second grade, and fifth grade.**

20  
 21              **ALTERNATIVE EDUCATION**  
 22                      **Total Operating Expense**                      **5,306,394**                      **5,306,394**

23  
 24      **The above appropriations include funding to provide \$10,000 for each child in**  
 25      **recovery from alcohol or drug abuse who attends a charter school accredited by**  
 26      **the National Association of Recovery Schools. This funding is in addition to tuition**  
 27      **support for the charter school.**

28  
 29              **SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM**  
 30                      **Total Operating Expense**                      **3,086,071**                      **3,086,071**

31  
 32      **The department shall use the funds to make grants to school corporations to**  
 33      **promote student learning through the use of technology. Notwithstanding distribution**  
 34      **guidelines in IC 20-20-13, the department shall develop guidelines for distribution**  
 35      **of the grants.**

36  
 37              **SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY**  
 38                      **Total Operating Expense**                      **127,500**                      **127,500**

39  
 40      **The department shall make available the above appropriations to the Indiana**  
 41      **Association of School Business Officials to assist in the creation of an academy**  
 42      **designed to strengthen the management and leadership skills of practicing Indiana**  
 43      **school business officials.**

44  
 45              **SCHOOL INTERNET CONNECTION**  
 46                      **Total Operating Expense**                      **3,415,000**                      **3,415,000**

47              **DUAL IMMERSION PILOT PROGRAM**  
 48                      **Total Operating Expense**                      **425,000**                      **425,000**  
 49



1 **FOR THE STATE BOARD OF EDUCATION**

2 <b>Total Operating Expense</b>	1,831,499	1,831,499	
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3

4 The above appropriations for the Indiana state board of education are for the academic  
5 standards project to distribute copies of the academic standards and provide teachers  
6 with curriculum frameworks, for special evaluation and research projects, including  
7 national and international assessments, and for state board administrative expenses.

8

9 **FOR THE INDIANA CHARTER SCHOOL BOARD**

10 <b>Total Operating Expense</b>	444,059	444,059	
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11

12 **FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**  
13 **TEACHERS' RETIREMENT FUND DISTRIBUTION**

14 <b>Other Operating Expense</b>	950,000,000	975,000,000	
15 <b>Augmentation allowed.</b>			

16

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

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

29

30 **C. OTHER EDUCATION**

31

32 **FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD**

33 <b>Personal Services</b>	821,734	821,734	
34 <b>Other Operating Expense</b>	162,971	162,971	

35

36 **FOR THE STATE LIBRARY**

37 <b>Personal Services</b>	2,508,960	2,508,960	
38 <b>Other Operating Expense</b>	256,603	256,603	

39

40 <b>Total Operating Expense</b>	1,184,343	1,184,343	
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41 **LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES**

42 <b>Other Operating Expense</b>	153,000	153,000	
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43

44 <b>Total Operating Expense</b>	4,357	4,357	
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45 **HISTORICAL MARKER PROGRAM**

46 <b>Total Operating Expense</b>	8,649	8,649	
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47

48 <b>Total Operating Expense</b>	1,382,250	1,382,250	
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49

**LOCAL LIBRARY CONNECTIVITY GRANT**





1	<b>Total Operating Expense</b>	<b>1,419,434</b>	<b>1,419,434</b>
2			
3	<b>FOR THE ARTS COMMISSION</b>		
4	<b>Personal Services</b>	<b>529,978</b>	<b>529,978</b>
5	<b>Other Operating Expense</b>	<b>2,802,439</b>	<b>2,802,439</b>
6			

7 The above appropriations to the arts commission includes \$650,000 each year to  
8 provide grants to:

- 9 (1) the arts organizations that have most recently qualified for general operating  
10 support as major arts organizations as determined by the arts commission; and  
11 (2) the significant regional organizations that have most recently qualified  
12 for general operating support as mid-major arts organizations, as determined  
13 by the arts commission and its regional re-granting partners.

14  
15 **SECTION 10. [EFFECTIVE JULY 1, 2021]**

16  
17 **DISTRIBUTIONS**

18  
19 **FOR THE AUDITOR OF STATE**

20 **GAMING TAX**

21 **Total Operating Expense** 50,500,000 50,500,000

22 **Augmentation allowed.**

23 **ALCOHOL BEVERAGE COMMISSION GALLONAGE TAX**

24 **Total Operating Expense** 9,864,160 9,864,160

25 **Augmentation allowed.**

26  
27 **SECTION 11. [EFFECTIVE JULY 1, 2021]**

28  
29 **Utility bills for the month of June, travel claims covering the period June 16 to**  
30 **June 30, payroll for the period of the last half of June, any interdepartmental**  
31 **bills for supplies or services for the month of June, and any other miscellaneous**  
32 **expenses incurred during the period June 16 to June 30 shall be charged to**  
33 **the appropriation for the succeeding year. No interdepartmental bill shall be recorded**  
34 **as a refund of expenditure to any current year allotment account for supplies or**  
35 **services rendered or delivered at any time during the preceding June period.**

36  
37 **SECTION 12. [EFFECTIVE JULY 1, 2021]**

38  
39 **The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation**  
40 **with the Indiana department of administration, may fix the amount of reimbursement**  
41 **for traveling expenses (other than transportation) for travel within the limits of**  
42 **Indiana. This amount may not exceed actual lodging and miscellaneous expenses**  
43 **incurred. A person in travel status, as defined by the state travel policies and**  
44 **procedures established by the Indiana department of administration and the budget**  
45 **agency, is entitled to a meal allowance not to exceed during any twenty-four (24)**  
46 **hour period the standard meal allowances established by the federal Internal Revenue**  
47 **Service.**

48  
49 **All appropriations provided by this act or any other statute, for traveling and**



1 hotel expenses for any department, officer, agent, employee, person, trustee, or  
2 commissioner, are to be used only for travel within the state of Indiana, unless  
3 those expenses are incurred in traveling outside the state of Indiana on trips that  
4 previously have received approval as required by the state travel policies and procedures  
5 established by the Indiana department of administration and the budget agency. With  
6 the required approval, a reimbursement for out-of-state travel expenses may be granted  
7 in an amount not to exceed actual lodging and miscellaneous expenses incurred.

8 A person in travel status is entitled to a meal allowance not to exceed during any  
9 twenty-four (24) hour period the standard meal allowances established by the federal  
10 Internal Revenue Service for properly approved travel within the continental United  
11 States and a minimum of \$50 during any twenty-four (24) hour period for properly  
12 approved travel outside the continental United States. However, while traveling  
13 in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four  
14 (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance  
15 shall not be less than \$85 for any twenty-four (24) hour period. While traveling  
16 in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum  
17 meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

18  
19 In the case of the state supported institutions of postsecondary education, approval  
20 for out-of-state travel may be given by the chief executive officer of the institution,  
21 or the chief executive officer's authorized designee, for the chief executive officer's  
22 respective personnel.

23  
24 Before reimbursing overnight travel expenses, the auditor of state shall require  
25 documentation as prescribed in the state travel policies and procedures established  
26 by the Indiana department of administration and the budget agency. No appropriation  
27 from any fund may be construed as authorizing the payment of any sum in excess of  
28 the standard mileage rates for personally owned transportation equipment established  
29 by the federal Internal Revenue Service when used in the discharge of state business.  
30 The Indiana department of administration and the budget agency may adopt policies  
31 and procedures relative to the reimbursement of travel and moving expenses of new  
32 state employees and the reimbursement of travel expenses of prospective employees  
33 who are invited to interview with the state.

34  
35 **SECTION 13. [EFFECTIVE JULY 1, 2021]**

36  
37 Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions,  
38 and councils who are entitled to a salary per diem is equal to \$100 per day. However,  
39 members of boards, commissions, or councils who receive an annual or a monthly salary  
40 paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

41  
42 **SECTION 14. [EFFECTIVE JULY 1, 2021]**

43  
44 No payment for personal services shall be made by the auditor of state unless the  
45 payment has been approved by the budget agency or the designee of the budget agency.

46  
47 **SECTION 15. [EFFECTIVE JULY 1, 2021]**

48  
49 No warrant for operating expenses, capital outlay, or fixed charges shall be issued



1 to any department or an institution unless the receipts of the department or institution  
2 have been deposited into the state treasury for the month. However, if a department  
3 or an institution has more than \$10,000 in daily receipts, the receipts shall be  
4 deposited into the state treasury daily.

5  
6 **SECTION 16. [EFFECTIVE JULY 1, 2021]**

7  
8 In case of loss by fire or any other cause involving any state institution or department,  
9 the proceeds derived from the settlement of any claim for the loss shall be deposited  
10 in the state treasury, and the amount deposited is hereby reappropriated to the  
11 institution or department for the purpose of replacing the loss. If it is determined  
12 that the loss shall not be replaced, any funds received from the settlement of a  
13 claim shall be deposited into the state general fund.

14  
15 **SECTION 17. [EFFECTIVE JULY 1, 2021]**

16  
17 If an agency has computer equipment in excess of the needs of that agency, then  
18 the excess computer equipment may be sold under the provisions of surplus property  
19 sales, and the proceeds of the sale or sales shall be deposited in the state treasury.  
20 The amount so deposited is hereby reappropriated to that agency for other operating  
21 expenses of the then current year, if approved by the director of the budget agency.

22  
23 **SECTION 18. [EFFECTIVE JULY 1, 2021]**

24  
25 This act does not authorize any rehabilitation and repairs to any state buildings,  
26 nor does it allow that any obligations be incurred for lands and structures, without  
27 the prior approval of the budget director or the director's designee. This SECTION  
28 does not apply to contracts for the state universities supported in whole or in part  
29 by state funds.

30  
31 **SECTION 19. [EFFECTIVE JULY 1, 2021]**

32  
33 If an agency has an annual appropriation fixed by law, and if the agency also receives  
34 an appropriation in this act for the same function or program, the appropriation in  
35 this act supersedes any other appropriations and is the total appropriation for the  
36 agency for that program or function.

37  
38 **SECTION 20. [EFFECTIVE JULY 1, 2021]**

39  
40 The balance of any appropriation or funds heretofore placed or remaining to the  
41 credit of any division of the state of Indiana, and any appropriation or funds provided  
42 in this act placed to the credit of any division of the state of Indiana, the powers,  
43 duties, and functions whereof are assigned and transferred to any department for  
44 salaries, maintenance, operation, construction, or other expenses in the exercise  
45 of such powers, duties, and functions, shall be transferred to the credit of the  
46 department to which such assignment and transfer is made, and the same shall be  
47 available for the objects and purposes for which appropriated originally.

48  
49 **SECTION 21. [EFFECTIVE JULY 1, 2021]**



1  
2 **The director of the division of procurement of the Indiana department of administration,**  
3 **or any other person or agency authorized to make purchases of equipment, shall not**  
4 **honor any requisition for the purchase of an automobile that is to be paid for from any**  
5 **appropriation made by this act or any other act, unless the following facts are shown**  
6 **to the satisfaction of the commissioner of the Indiana department of administration or**  
7 **the commissioner's designee:**

8 **(1) In the case of an elected state officer, it shall be shown that the duties of the**  
9 **office require driving about the state of Indiana in the performance of official duty.**

10 **(2) In the case of department or commission heads, it shall be shown that the statutory**  
11 **duties imposed in the discharge of the office require traveling a greater distance**  
12 **than one thousand (1,000) miles each month or that they are subject to official duty**  
13 **call at all times.**

14 **(3) In the case of employees, it shall be shown that the major portion of the duties**  
15 **assigned to the employee require travel on state business in excess of one thousand**  
16 **(1,000) miles each month, or that the vehicle is identified by the agency as an integral**  
17 **part of the job assignment.**

18  
19 **In computing the number of miles required to be driven by a department head or an**  
20 **employee, the distance between the individual's home and office or designated official**  
21 **station is not to be considered as a part of the total. Department heads shall annually**  
22 **submit justification for the continued assignment of each vehicle in their department,**  
23 **which shall be reviewed by the commissioner of the Indiana department of administration,**  
24 **or the commissioner's designee. There shall be an insignia permanently affixed on**  
25 **each side of all state owned cars, designating the cars as being state owned. However,**  
26 **this requirement does not apply to state owned cars driven by elected state officials**  
27 **or to cases where the commissioner of the Indiana department of administration or**  
28 **the commissioner's designee determines that affixing insignia on state owned cars**  
29 **would hinder or handicap the persons driving the cars in the performance of their**  
30 **official duties.**

31  
32 **SECTION 22. [EFFECTIVE JULY 1, 2021]**  
33

34 **When budget agency approval or review is required under this act, the budget agency**  
35 **may refer to the budget committee any budgetary or fiscal matter for an advisory**  
36 **recommendation. The budget committee may hold hearings and take any actions**  
37 **authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget**  
38 **agency.**

39  
40 **SECTION 23. [EFFECTIVE JULY 1, 2021]**  
41

42 **The governor of the state of Indiana is solely authorized to accept on behalf of**  
43 **the state any and all federal funds available to the state of Indiana. Federal funds**  
44 **received under this SECTION are appropriated for purposes specified by the**  
45 **federal government, subject to allotment by the budget agency. The provisions of**  
46 **this SECTION and all other SECTIONS concerning the acceptance, disbursement,**  
47 **review, and approval of any grant, loan, or gift made by the federal government**  
48 **or any other source to the state or its agencies and political subdivisions shall**  
49 **apply, notwithstanding any other law.**



1  
2 SECTION 24. [EFFECTIVE JULY 1, 2021]  
3

4 Federal funds received as revenue by a state agency or department are not available  
5 to the agency or department for expenditure until allotment has been made by the  
6 budget agency under IC 4-12-1-12(d).  
7

8 SECTION 25. [EFFECTIVE JULY 1, 2021]  
9

10 A contract or an agreement for personal services or other services may not be  
11 entered into by any agency or department of state government without the approval  
12 of the budget agency or the designee of the budget director.  
13

14 SECTION 26. [EFFECTIVE JULY 1, 2021]  
15

16 Except in those cases where a specific appropriation has been made to cover the  
17 payments for any of the following, the auditor of state shall transfer, from the  
18 personal services appropriations for each of the various agencies and departments,  
19 necessary payments for Social Security, public employees' retirement, health  
20 insurance, life insurance, and any other similar payments directed by the budget  
21 agency.  
22

23 SECTION 27. [EFFECTIVE JULY 1, 2021]  
24

25 Subject to SECTION 22 of this act as it relates to the budget committee, the  
26 budget agency with the approval of the governor may withhold allotments of any  
27 or all appropriations contained in this act for the 2021-2023 biennium, if it is  
28 considered necessary to do so in order to prevent a deficit financial situation.  
29

30 SECTION 28. [EFFECTIVE JULY 1, 2021]  
31

32 CONSTRUCTION  
33

34 For the 2021-2023 biennium, the following amounts, from the funds listed as follows,  
35 are appropriated to provide for the construction, reconstruction, rehabilitation,  
36 repair, purchase, rental, and sale of state properties, capital lease rentals, and  
37 the purchase and sale of land, including equipment for these properties and other  
38 projects as specified.  
39

40	State General Fund - Lease Rentals
41	225,602,266
42	State General Fund - Construction
43	629,093,746
44	Veterans' Home Building Fund (IC 10-17-9-7)
45	2,281,000
46	State Construction Fund (IC 9-13-2-173.1)
47	50,386,007
48	State Highway Fund (IC 8-23-9-54)
49	34,440,500



1  
2           **TOTAL**                   **941,803,519**

3  
4       **The allocations provided under this SECTION are made from the state general**  
5 **fund, unless specifically authorized from other designated funds by this act. The**  
6 **budget agency, with the approval of the governor, in approving the allocation of**  
7 **funds pursuant to this SECTION, shall consider, as funds are available, allocations**  
8 **for the following specific uses, purposes, and projects:**

9  
10   **A. GENERAL GOVERNMENT**

11  
12   **FOR THE STATE BUDGET AGENCY**

13           Stadium Lease Rental	40,469,646	67,943,587
14           Convention Center Lease Rental	0	14,719,700
15           Indiana Motorsports Commission	7,000,000	7,000,000
16           Water Infrastructure	20,000,000	20,000,000
17           Northwest Indiana Reg. Dev. Auth.	12,000,000	12,000,000

18  
19   **The above appropriation for water infrastructure assistance is for the creation of**  
20 **a leveraged loan program to provide grants, loans, and other financial assistance**  
21 **from the water infrastructure assistance fund in accordance with a statute enacted**  
22 **for this purpose by the 2019 General Assembly.**

23  
24   **STATE BUDGET AGENCY**

25           Enterprise Grant Management System	0	3,000,000
26           Capital Reserve Account	0	100,000,000

27  
28   **The above appropriation may be used for design and construction expenses for the**  
29 **Westville Correctional Facility, Evansville Police Post and Lab, and a new consolidated**  
30 **campus for the Indiana School for the Deaf and the Indiana School for the Blind**  
31 **and Visually Impaired, or for another purpose after review by the budget committee.**

32  
33   **LIEUTENANT GOVERNOR**

34           Broadband Grants	250,000,000	0
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35   **DEPARTMENT OF REVENUE**

36           Integrated Tax System	20,300,000	0
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37   **TREASURER OF STATE**

38           Education Scholarship Accounts Impl.	5,000,000	0
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39   **DEPARTMENT OF ADMINISTRATION**

40           Preventive Maintenance	5,300,000	5,300,000
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41           Repair and Rehabilitation	19,152,444	18,252,444
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42   **DEPARTMENT OF ADMINISTRATION - LEASES**

43           NeuroDiagnostic Inst. Capital Lease	12,234,703	12,234,630
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44   **STATE LIBRARY**

45           Repair and Rehabilitation	0	2,000,000
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46   **INDIANA STATE FAIR**

47           Preventive Maintenance	1,045,000	1,045,000
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48           Repair and Rehabilitation	1,775,552	4,356,500
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49           Fall Creek Pavilion	50,000,000	0
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1			
2	<b>B. PUBLIC SAFETY</b>		
3			
4	<b>(1) LAW ENFORCEMENT</b>		
5			
6	<b>INDIANA STATE POLICE</b>		
7	Preventive Maintenance	955,899	955,899
8	Lowell District/Lab Construction	8,500,000	0
9	Repair and Rehabilitation	906,900	1,440,000
10	<b>LAW ENFORCEMENT TRAINING BOARD</b>		
11	Preventive Maintenance	200,000	200,000
12	Repair and Rehabilitation	143,885	241,350
13	<b>ADJUTANT GENERAL</b>		
14	Preventive Maintenance	930,250	930,250
15	Hamilton County Readiness Center	579,780	6,791,750
16	Danville Armory Add. and Alter.	1,520,000	0
17	Martinsville Armory Add. and Alter.	0	1,520,000
18	State Construction Fund (IC 9-13-2-173.1)		
19	Repair and Rehabilitation	1,180,574	1,451,277
20			
21	<b>(2) CORRECTIONS</b>		
22			
23	<b>STATE PRISON</b>		
24	Preventive Maintenance	467,500	467,500
25	State Construction Fund (IC 9-13-2-173.1)		
26	Repair and Rehabilitation	1,500,000	500,000
27	<b>PENDLETON CORRECTIONAL FACILITY</b>		
28	Preventive Maintenance	552,500	552,500
29	<b>WOMEN'S PRISON</b>		
30	Preventive Maintenance	153,000	153,000
31	<b>NEW CASTLE CORRECTIONAL FACILITY</b>		
32	Preventive Maintenance	700,000	700,000
33	<b>PUTNAMVILLE CORRECTIONAL FACILITY</b>		
34	Preventive Maintenance	340,000	340,000
35	<b>INDIANAPOLIS RE-ENTRY EDUCATION FACILITY</b>		
36	Preventive Maintenance	153,000	153,000
37	<b>BRANCHVILLE CORRECTIONAL FACILITY</b>		
38	Preventive Maintenance	153,000	153,000
39	State Construction Fund (IC 9-13-2-173.1)		
40	Repair and Rehabilitation	0	575,000
41	<b>WESTVILLE CORRECTIONAL FACILITY</b>		
42	Preventive Maintenance	442,000	442,000
43	State Construction Fund (IC 9-13-2-173.1)		
44	Repair and Rehabilitation	0	1,250,000
45	<b>ROCKVILLE CORRECTIONAL FACILITY</b>		
46	Preventive Maintenance	212,500	212,500
47	<b>PLAINFIELD CORRECTIONAL FACILITY</b>		
48	Preventive Maintenance	212,500	212,500
49	State Construction Fund (IC 9-13-2-173.1)		



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Repair and Rehabilitation	0	1,250,000	
2	RECEPTION AND DIAGNOSTIC CENTER			
3	Preventive Maintenance	89,250	89,250	
4	CORRECTIONAL INDUSTRIAL FACILITY			
5	Preventive Maintenance	255,000	255,000	
6	State Construction Fund (IC 9-13-2-173.1)			
7	Repair and Rehabilitation	4,250,000	950,000	
8	WABASH VALLEY CORRECTIONAL FACILITY			
9	Preventive Maintenance	224,125	224,125	
10	CHAIN O' LAKES CORRECTIONAL FACILITY			
11	Preventive Maintenance	38,250	38,250	
12	MADISON CORRECTIONAL FACILITY			
13	Preventive Maintenance	318,750	318,750	
14	MIAMI CORRECTIONAL FACILITY			
15	Preventive Maintenance	382,500	382,500	
16	LOGANSPORT JUVENILE CORRECTIONAL FACILITY			
17	State Construction Fund (IC 9-13-2-173.1)			
18	Repair and Rehabilitation	100,000	0	
19	LAPORTE JUVENILE CORRECTIONAL FACILITY			
20	Preventive Maintenance	34,000	34,000	
21	EDINBURGH CORRECTIONAL FACILITY			
22	Preventive Maintenance	34,000	34,000	
23	PENDLETON JUVENILE CORRECTIONAL FACILITY			
24	Preventive Maintenance	127,500	127,500	
25	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
26	Preventive Maintenance	51,000	51,000	
27	SOUTH BEND WORK RELEASE CENTER			
28	Preventive Maintenance	42,500	42,500	
29	HERITAGE TRAIL CORRECTIONAL FACILITY			
30	Preventive Maintenance	191,250	191,250	
31	State Construction Fund (IC 9-13-2-173.1)			
32	Repair and Rehabilitation	0	250,000	
33				
34	<b>C. CONSERVATION AND ENVIRONMENT</b>			
35				
36	<b>DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION</b>			
37	Preventive Maintenance	50,000	50,000	
38	State Construction Fund (IC 9-13-2-173.1)			
39	Repair and Rehabilitation	6,063,788	5,670,788	
40	<b>FISH AND WILDLIFE</b>			
41	Preventive Maintenance	1,550,000	1,550,000	
42	State Construction Fund (IC 9-13-2-173.1)			
43	Repair and Rehabilitation	0	850,000	
44	<b>FORESTRY</b>			
45	Preventive Maintenance	1,525,000	1,525,000	
46	State Construction Fund (IC 9-13-2-173.1)			
47	Repair and Rehabilitation	750,000	0	
48	<b>NATURE PRESERVES</b>			
49	Preventive Maintenance	586,614	586,614	

HB 1001—LS 7431/DI 120





	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	<b>OUTDOOR RECREATION</b>		
2	Preventive Maintenance	35,000	35,000
3	<b>STATE PARKS AND RESERVOIR MANAGEMENT</b>		
4	Preventive Maintenance	4,050,000	4,050,000
5	State Construction Fund (IC 9-13-2-173.1)		
6	Repair and Rehabilitation	2,875,000	3,397,500
7	<b>DIVISION OF WATER</b>		
8	Preventive Maintenance	83,500	83,500
9	State Construction Fund (IC 9-13-2-173.1)		
10	Repair and Rehabilitation	2,110,000	2,000,000
11	<b>ENFORCEMENT</b>		
12	Preventive Maintenance	270,000	270,000
13	<b>ENTOMOLOGY</b>		
14	Preventive Maintenance	137,500	137,500
15	<b>INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION</b>		
16	Preventive Maintenance	574,687	574,687
17	Repair and Rehabilitation	1,950,505	1,912,500
18	State Construction Fund (IC 9-13-2-173.1)		
19	Repair and Rehabilitation	0	757,800
20	<b>WAR MEMORIALS COMMISSION</b>		
21	Preventive Maintenance	617,000	617,000
22	Repair and Rehabilitation	681,960	2,251,200
23			
24	<b>D. TRANSPORTATION</b>		
25			
26	<b>DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS</b>		
27	State Highway Fund (IC 8-23-9-54)		
28	Preventive Maintenance	2,232,888	2,232,888
29	State Highway Fund (IC 8-23-9-54)		
30	Repair and Rehabilitation	1,872,362	1,872,362
31	State Highway Fund (IC 8-23-9-54)		
32	A&E Fee Matl. & Test. Lab Phase 4	105,000	0
33	State Highway Fund (IC 8-23-9-54)		
34	Materials & Testing Lab Phase 4	1,500,000	0
35	State Highway Fund (IC 8-23-9-54)		
36	Const. of the LaGrange Unit/Salt Bldg	8,700,000	0
37	State Highway Fund (IC 8-23-9-54)		
38	Bluffton Subdistrict Renovation	4,950,000	0
39	State Highway Fund (IC 8-23-9-54)		
40	A&E Fee Cloverdale Salt Building	125,000	0
41	State Highway Fund (IC 8-23-9-54)		
42	Const. of the Cloverdale Salt Bldg	2,050,000	0
43	State Highway Fund (IC 8-23-9-54)		
44	A&E Fee Mishawaka Unit/Salt Bldg	450,000	0
45	State Highway Fund (IC 8-23-9-54)		
46	Cap. Land Purchase-Evansville Unit 1	250,000	0
47	State Highway Fund (IC 8-23-9-54)		
48	Const. of the Mishawaka Unit/Salt Bldg	0	7,100,000
49	State Highway Fund (IC 8-23-9-54)		

HB 1001—LS 7431/DI 120



		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	A&E Fee for Evansville Unit 1/Salt Bldg	0	450,000	
2	State Highway Fund (IC 8-23-9-54)			
3	A&E Fee Frankfort Subdistrict Rev.	0	300,000	
4	State Highway Fund (IC 8-23-9-54)			
5	Cap. Land Purchase-Roselawn Unit	0	250,000	
6				
7	<b>E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS</b>			
8				
9	<b>(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION</b>			
10				
11	<b>FSSA - DIVISION OF MENTAL HEALTH</b>			
12	State Construction Fund (IC 9-13-2-173.1)			
13	Repair and Rehabilitation	3,386,146	0	
14	<b>EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER</b>			
15	Preventive Maintenance	36,500	36,500	
16	State Construction Fund (IC 9-13-2-173.1)			
17	Repair and Rehabilitation	452,000	0	
18	<b>EVANSVILLE STATE HOSPITAL</b>			
19	Preventive Maintenance	391,162	391,162	
20	<b>MADISON STATE HOSPITAL</b>			
21	Preventive Maintenance	464,104	464,104	
22	State Construction Fund (IC 9-13-2-173.1)			
23	Repair and Rehabilitation	0	98,400	
24	<b>LOGANSPORT STATE HOSPITAL</b>			
25	Preventive Maintenance	491,572	491,572	
26	State Construction Fund (IC 9-13-2-173.1)			
27	Repair and Rehabilitation	833,369	1,824,000	
28	<b>RICHMOND STATE HOSPITAL</b>			
29	Preventive Maintenance	550,000	550,000	
30	State Construction Fund (IC 9-13-2-173.1)			
31	Repair and Rehabilitation	0	1,217,485	
32	<b>LARUE CARTER MEMORIAL HOSPITAL</b>			
33	Preventive Maintenance	417,703	417,703	
34	<b>NEURO DIAGNOSTIC INSTITUTE</b>			
35	Preventive Maintenance	475,810	475,810	
36				
37	<b>(2) PUBLIC HEALTH</b>			
38				
39	<b>SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED</b>			
40	Preventive Maintenance	282,857	282,857	
41	State Construction Fund (IC 9-13-2-173.1)			
42	Repair and Rehabilitation	1,262,390	885,249	
43	<b>SCHOOL FOR THE DEAF</b>			
44	Preventive Maintenance	424,285	424,285	
45	State Construction Fund (IC 9-13-2-173.1)			
46	Repair and Rehabilitation	734,637	1,960,604	
47				
48	<b>(3) VETERANS' AFFAIRS</b>			
49				



	<i>FY 2021-2022</i>	<i>FY 2022-2023</i>	<i>Biennial</i>
	<i>Appropriation</i>	<i>Appropriation</i>	<i>Appropriation</i>
1	<b>DEPARTMENT OF VETERANS' AFFAIRS</b>		
2			
3	<b>48,195</b>	<b>48,195</b>	
4	<b>INDIANA VETERANS' HOME</b>		
5			
6	<b>637,500</b>	<b>637,500</b>	
7			
8	<b>789,000</b>	<b>217,000</b>	
9	<b>F. EDUCATION</b>		
10	<b>HIGHER EDUCATION</b>		
11	<b>INDIANA UNIVERSITY - TOTAL SYSTEM</b>		
12			
13	<b>14,349,098</b>	<b>14,349,098</b>	
14	<b>PURDUE UNIVERSITY - TOTAL SYSTEM</b>		
15			
16	<b>12,242,154</b>	<b>12,242,154</b>	
17	<b>INDIANA STATE UNIVERSITY</b>		
18			
19	<b>1,504,289</b>	<b>1,504,289</b>	
20	<b>UNIVERSITY OF SOUTHERN INDIANA</b>		
21			
22	<b>1,112,962</b>	<b>1,112,962</b>	
23	<b>BALL STATE UNIVERSITY</b>		
24			
25	<b>2,917,359</b>	<b>2,917,359</b>	
26	<b>VINCENNES UNIVERSITY</b>		
27			
28	<b>1,005,286</b>	<b>1,005,286</b>	
29	<b>IVY TECH COMMUNITY COLLEGE</b>		
30			
31	<b>3,610,577</b>	<b>3,610,577</b>	
32	<b>SECTION 29. [EFFECTIVE JULY 1, 2021]</b>		
33			
34	The budget agency may employ one (1) or more architects or engineers to inspect		
35	construction, rehabilitation, and repair projects covered by the appropriations		
36	in this act or previous acts.		
37	<b>SECTION 30. [EFFECTIVE UPON PASSAGE]</b>		
38			
39	If any part of a construction or rehabilitation and repair appropriation made by		
40	this act or any previous acts has not been allotted or encumbered before the expiration		
41	of the biennium, the budget agency may determine that the balance of the appropriation		
42	is not available for allotment. The appropriation may be terminated, and the balance		
43	may revert to the fund from which the original appropriation was made.		
44	<b>SECTION 31. [EFFECTIVE JULY 1, 2021]</b>		
45			
46	The budget agency may retain balances in the mental health fund at the end of any		
47	fiscal year to ensure there are sufficient funds to meet the service needs of the		
48	developmentally disabled and the mentally ill in any year.		
49	<b>SECTION 32. [EFFECTIVE JULY 1, 2021]</b>		



1 **If the budget director determines at any time during the biennium that the executive**  
2 **branch of state government cannot meet its statutory obligations due to insufficient**  
3 **funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with**  
4 **the approval of the governor and after review by the budget committee, may transfer**  
5 **from the counter-cyclical revenue and economic stabilization fund to the general**  
6 **fund any additional amount necessary to maintain a positive balance in the general**  
7 **fund.**

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

9 Sec. 1. The ~~governor~~, **budget director or the budget director's designee**, the auditor of state, and the  
10 treasurer of state constitute the state board of finance, referred to as the "board" in this chapter. The board  
11 has advisory supervision of the safekeeping of all funds coming into the state treasury and all other funds  
12 belonging to the state coming into the possession of any state officer or agency.

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

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

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

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

43 (1) a state educational institution; or

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

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



1 distributed.

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

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

10 (1) The judicial department of the state.

11 (2) The general assembly, the legislative services agency, or any other entity of the legislative  
12 department of the state.

13 (3) The attorney general.

14 (4) The auditor of state.

15 (5) The secretary of state.

16 (6) The superintendent of public instruction. This subdivision does not apply after January 10, 2021.

17 (7) The treasurer of state.

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

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

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

28 (b) Money in the fund may be used only with the approval of the governor for:

29 (1) salary increases;

30 (2) fringe benefit increases;

31 (3) an employee leave conversion program;

32 (4) state retiree health programs; ~~and~~

33 **(5) emergency capital project expenses;**

34 **(6) necessary expenses for existing programs as determined by the governor and budget**  
35 **director; and**

36 ~~(5) (7)~~ any related expenses.

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

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

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

47 (1) ~~the state librarian or the state librarian's designee;~~ **budget director or the budget director's**



1       **designee;**  
2       (2) the director of the Indiana archives and records administration or the director's designee; and  
3       (3) a representative from each of the two (2) state agencies that generate the most revenue under this  
4       section;

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

9       SECTION 37. IC 4-31-5-9, AS AMENDED BY P.L.256-2015, SECTION 4, IS AMENDED TO  
10       READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The commission shall determine the  
11       dates and (if the commission adopts a rule under subsection (c)) the number of racing days authorized  
12       under each recognized meeting permit. Except for racing at winterized tracks, a recognized meeting may  
13       not be conducted after December 10 of a calendar year.

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

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

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

21       (A) mounted by jockeys; and

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

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

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

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

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

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

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

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

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

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

44       (3) Sale of food and beverages.

45       (4) Advertising and promotion.

46       (5) All other related activities.

47       (b) A permit holder authorized to operate a satellite facility may use an approved limited mobile



1 gaming system to accept pari-mutuel wagers on horse racing at the satellite facility in accordance with  
2 IC 4-31-7-10.

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

6 SECTION 39. IC 4-31-7-1, AS AMENDED BY P.L.268-2017, SECTION 9, IS AMENDED TO  
7 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A person holding a permit to conduct  
8 a horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting  
9 grounds or enclosure or the satellite facility at which the person may conduct and supervise the  
10 pari-mutuel system of wagering by patrons of legal age on ~~the~~ horse races conducted or simulcast by the  
11 person, **and as permitted in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5.** The person may  
12 not permit or use:

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

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

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

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

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

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

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

45 SECTION 41. IC 4-31-9-3, AS AMENDED BY P.L.108-2019, SECTION 70, IS AMENDED TO  
46 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) At the close of each day on which  
47 a permit holder or satellite facility operator conducts pari-mutuel wagering on live racing or simulcasts



1 at a racetrack or satellite facility, the permit holder or satellite facility operator shall pay to the department  
2 of state revenue a tax on the total amount of money wagered on that day as follows:

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

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

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

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

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

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

15 SECTION 42. IC 4-33-18-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

16 Sec. 1. As used in this chapter, "~~department~~" means the Indiana department of gaming research;  
17 "**division**" means the gaming research division of the commission established by section 2 of this  
18 chapter.

19 SECTION 43. IC 4-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

20 Sec. 2. ~~The Indiana department of gaming research is established as an agency of the state of Indiana~~ **The**  
21 **gaming research division is established within the commission** for the purpose of enhancing the  
22 gaming industry in Indiana through research and analysis.

23 SECTION 44. IC 4-33-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

24 Sec. 3. ~~The department is under the control of the governor, who~~ **commission** shall appoint or employ the  
25 executive director **of the division** and other persons that the ~~governor~~ **commission** considers necessary.

26 SECTION 45. IC 4-33-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

27 Sec. 4. ~~(a)~~ The executive director, with the ~~governor's~~ **commission's** approval, may employ individuals  
28 as are necessary to perform the various functions of the ~~department.~~ **division.**

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

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

34 (1) the Indiana lottery under IC 4-30;

35 (2) pari-mutuel horse racing under IC 4-31;

36 (3) charity gaming under IC 4-32.3; and

37 (4) riverboat casino gambling under IC 4-33.

38 SECTION 47. IC 4-33-18-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

39 Sec. 6. The ~~department~~ **division** shall study and make findings and recommendations on the following:

40 (1) Alternative methods of taxing gaming entities, including taxes based upon the size of a riverboat  
41 or the number of gaming positions on board a riverboat.

42 (2) The impact of flexible boarding on the gaming industry.

43 (3) The impact of breed development programs and sire stakes racing in Indiana.

44 (4) Any other issue considered appropriate by the ~~department~~ **commission** or suggested by:

45 (A) the Indiana lottery commission;

46 (B) the Indiana horse racing commission; **or**

47 (C) the department of state revenue. ~~or~~





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

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

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

11       SECTION 50. IC 4-33-18-9 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 9: (a) Nothing in this~~  
12 ~~chapter may be construed to limit the powers or responsibilities of:~~

- 13           ~~(1) the state lottery commission under IC 4-30;~~  
14           ~~(2) the Indiana horse racing commission under IC 4-31; or~~  
15           ~~(3) the Indiana gaming commission under IC 4-32.3; IC 4-33; or IC 4-35.~~  
16       ~~(b) The department may not exercise any administrative or regulatory powers with respect to:~~  
17           ~~(1) the Indiana lottery under IC 4-30;~~  
18           ~~(2) pari-mutuel horse racing under IC 4-31;~~  
19           ~~(3) charity gaming under IC 4-32.3;~~  
20           ~~(4) riverboat casino gambling under IC 4-33; or~~  
21           ~~(5) gambling games conducted at a racetrack (as defined in IC 4-35-2-9) under IC 4-35.~~

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

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

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

- 30           (1) November 1, 2021; or  
31           (2) two (2) years from the date the:  
32               (A) judgment vacating, reversing, or setting aside the person's conviction becomes final; or  
33               (B) governor pardons the person;  
34 whichever is later. An applicant shall submit additional evidence to the criminal justice institute upon  
35 request by the criminal justice institute.

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

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

41       (c) Upon receipt of:

- 42           (1) a completed application; and  
43           (2) any additional evidence required by the criminal justice institute;  
44 the criminal justice institute shall evaluate, investigate, and make a determination with respect to an  
45 applicant's claim.

46       (d) If, at the conclusion of an investigation performed pursuant to subsection (c), the criminal justice  
47 institute determines that the applicant qualifies for compensation under this chapter, the criminal justice



1 institute shall pay ~~from the exoneration fund~~; any compensation due to the applicant, subject to the  
2 requirements of subsections (e) and (f).

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

4 (1) has received an award for restitution or damages described in section 1 of this chapter in  
5 connection with the conviction;

6 (2) has a pending case that might result in an award for restitution or damages described in section  
7 1 of this chapter with respect to the conviction; or

8 (3) has not executed the waiver described in section 4 of this chapter.

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

12 (1) the estate of;

13 (2) a fiduciary of;

14 (3) a trust on behalf of; or

15 (4) an assignee of;

16 the wrongfully incarcerated individual.

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

20 (1) At least one (1) trustee must have experience in economics, finance, or investments.

21 (2) At least one (1) trustee must have experience in executive management or benefits  
22 administration.

23 (3) The director of the ~~budget agency office of management and budget~~ or the ~~budget agency~~  
24 director's designee serving as an ex officio voting member of the board. An individual appointed  
25 under this subdivision to serve as the ~~budget agency office of management and budget~~ director's  
26 designee:

27 (A) is subject to section 5 of this chapter; and

28 (B) serves as a permanent designee until replaced by the ~~budget agency office of management~~  
29 ~~and budget~~ director.

30 (4) Two (2) trustees nominated by the speaker of the house of representatives as follows:

31 (A) One (1) must be an active or retired police officer or firefighter who is a member of the 1977  
32 police officers' and firefighters' pension and disability fund.

33 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of  
34 creditable service.

35 (5) Two (2) trustees nominated by the president pro tempore of the senate as follows:

36 (A) One (1) must be a member of the public employees' retirement fund with at least ten (10)  
37 years of creditable service.

38 (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of  
39 creditable service.

40 (6) One (1) trustee nominated by the auditor of state. The individual nominated under this  
41 subdivision may be the auditor of state or another individual who has experience in professional  
42 financial accounting or actuarial science.

43 (7) One (1) trustee nominated by the treasurer of state. The individual nominated under this  
44 subdivision may be the treasurer of state or another individual who has experience in economics,  
45 finance, or investments.

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



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

- 4 (1) Fiduciary duties and responsibilities of a trustee.
- 5 (2) Ethics.
- 6 (3) Governance process and procedures.
- 7 (4) Retirement plan design and administration.
- 8 (5) Investments.
- 9 (6) Actuarial principles and methods.

10 (d) Subject to the director's approval, each trustee is entitled to reimbursement for reasonable expenses  
11 actually incurred in fulfilling the educational requirements under subsection (c). The director shall give  
12 a preference for reimbursement for in-state training that meets the requirements under subsection (c), if  
13 in-state training is available.

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

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

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

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

- 30 (1) taxing unit; and
- 31 (2) soil and water conservation district;

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

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

- 40 (1) any unit of state government or entity that is required by law to bear the costs of its own  
41 examination and operating expense; or
- 42 (2) any utility owned or operated by any municipality or any department of the municipality, if the  
43 utility is operated from revenues or receipts other than taxation.

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

47 (f) In addition to other charges provided in this chapter, the state examiner may charge a reasonable



1 fee for technology and processing costs related to completing reports of examination and processing  
2 reports of examination in the same manner as other charges are made under this chapter. The fees shall  
3 be deposited in the examinations fund created by subsection (g).

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

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

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

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

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

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

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

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

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

- 24 (1) a development authority; and
- 25 (2) a qualified nonprofit organization.

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

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

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

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

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

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

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

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



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

3       **(1) Expenses of administering the fund.**

4       **(2) Administrative expenses incurred to carry out the purposes of this chapter.**

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

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

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

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

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

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

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

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

17           **(B) Analyzing proposals.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47       **(d) All applications for a grant or loan from the fund must include a regional recovery strategy**



1 that complies with the requirements of a policy established under section 15 of this chapter and  
2 contain at least the following:

- 3 (1) A comprehensive development plan and timeline.
- 4 (2) A detailed financial analysis that includes the commitment of resources and a return on  
5 investment analysis.
- 6 (3) A demonstration of the expected impact of the grant or loan on the region and state.
- 7 (4) Any other information the board considers appropriate.

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

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

12 (b) The policy developed by the corporation shall include detailed information outlining:

- 13 (1) the entities that are eligible to submit applications for a grant or loan from the fund;
- 14 (2) the elements of a regional recovery strategy, and the information a regional recovery  
15 strategy must contain in order to make projects to implement the strategy eligible for a grant  
16 or loan from the fund;
- 17 (3) the types of projects that are eligible for financial support from the fund; and
- 18 (4) the criteria that will be used by a strategic review committee and the board to analyze  
19 applications for a grant or loan from the fund.

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

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

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

- 26 (1) it is owned by an Indiana nonprofit public benefit corporation exempt from taxation under  
27 Section 501(c)(3) of the Internal Revenue Code;
- 28 (2) the property is used in the operation of a nonprofit health, fitness, aquatics, and community  
29 center; and
- 30 (3) funds for the acquisition and development of the property have been provided in part under the  
31 regional cities initiative of the Indiana economic development corporation under IC 5-28-38 (**before  
32 its repeal**).

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

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

- 42 (1) Organization of and activity by a building committee or other oversight group.
- 43 (2) Completion and filing of building plans with the appropriate local government authority.
- 44 (3) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to  
45 believe actual construction can and will begin within four (4) years.
- 46 (4) The breaking of ground and the beginning of actual construction.
- 47 (5) Any other factor that would lead a reasonable individual to believe that construction of the



1 improvement is an active plan and that the improvement is capable of being completed within eight  
2 (8) years considering the circumstances of the owner.

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

10 (f) If a refund is due under subsection (e) to an owner of property that is exempt under this section, the  
11 owner is not entitled to interest on the refund under this article or any other law to the extent interest has  
12 not been paid by or on behalf of the owner.

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

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

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

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

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

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

24 (5) An individual appointed by the governor.

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

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

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

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

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

32 The member is a nonvoting member.

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

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

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

36 The member is a nonvoting member.

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

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

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

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

47 SECTION 59. IC 6-2.5-1-5, AS AMENDED BY P.L.146-2020, SECTION 3, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) Except as provided in subsection (b),  
2 "gross retail income" means the total amount of consideration, including cash, credit, property, and  
3 services, for which tangible personal property is sold, leased, or rented, valued in money, whether  
4 received in money or otherwise, without any deduction for:

- 5 (1) the seller's cost of the property sold;
- 6 (2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the  
7 seller, all taxes imposed on the seller, and any other expense of the seller;
- 8 (3) charges by the seller for any services necessary to complete the sale, other than delivery and  
9 installation charges;
- 10 (4) delivery charges; or
- 11 (5) consideration received by the seller from a third party if:
  - 12 (A) the seller actually receives consideration from a party other than the purchaser and the  
13 consideration is directly related to a price reduction or discount on the sale;
  - 14 (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
  - 15 (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller  
16 at the time of the sale of the item to the purchaser; and
  - 17 (D) the price reduction or discount is identified as a third party price reduction or discount on the  
18 invoice received by the purchaser or on a coupon, certificate, or other documentation presented  
19 by the purchaser.

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

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

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

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





1 (1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is  
2 the total sales price of the special fuel minus the part of that price attributable to tax imposed under  
3 IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; ~~and~~

4 (2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income is the  
5 total sales price of the cigarettes including the tax imposed under IC 6-7-1; **and**

6 **(3) in the case of retail sales of consumable material (as defined in IC 6-7-4-1) and vapor**  
7 **products (as defined in IC 6-7-4-6), the gross retail income received from selling at retail is the**  
8 **total sales price of the consumable material (as defined in IC 6-7-4-1) and vapor products (as**  
9 **defined in IC 6-7-4-6) including the tax imposed under IC 6-7-4.**

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

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

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

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

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

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

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

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

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

41 (1) failed to:

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

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

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

47 (f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place



1 of business, the retail merchant must file a supplemental application and pay the fee for that place of  
2 business.

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

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

11 (2) The location of all of the retail merchant's places of business in Indiana, including offices and  
12 distribution houses.

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

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

21 (i) If:

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

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

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

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

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

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

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

40 (3) the name of each retail merchant that:

41 (A) held a registered retail merchant's certificate at any time during the preceding year for a place  
42 of business located in the township or county; and

43 (B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year  
44 for the place of business; and

45 (4) the address of each place of business described in subdivision (3).

46 (l) If the duties of the township assessor have been transferred to the county assessor as described in  
47 IC 6-1.1-1-24, the department shall submit the information listed in subsection (k) to the county assessor.



1 SECTION 61. IC 6-3-1-3.5, AS AMENDED BY P.L.146-2020, SECTION 21, IS AMENDED TO  
2 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3.5. When used in this article, the term  
3 "adjusted gross income" shall mean the following:

4 (a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal  
5 Revenue Code), modified as follows:

6 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes  
7 of the United States.

8 (2) Except as provided in subsection (c), add an amount equal to any deduction or deductions  
9 allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or  
10 measured by income and levied at the state level by any state of the United States.

11 (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and  
12 wife, subtract for each spouse one thousand dollars (\$1,000).

13 (4) Subtract one thousand dollars (\$1,000) for:

14 (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as  
15 effective January 1, 2017);

16 (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and

17 (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for  
18 the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not  
19 the dependent of another taxpayer.

20 (5) Subtract:

21 (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section  
22 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004);

23 (B) one thousand five hundred dollars (\$1,500) for each exemption allowed under Section 151(c)  
24 of the Internal Revenue Code (as effective January 1, 2017) for an individual:

25 (i) who is less than nineteen (19) years of age or is a full-time student who is less than  
26 twenty-four (24) years of age;

27 (ii) for whom the taxpayer is the legal guardian; and

28 (iii) for whom the taxpayer does not claim an exemption under clause (A); and

29 (C) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of  
30 the Internal Revenue Code if the federal adjusted gross income of the taxpayer, or the taxpayer  
31 and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars  
32 (\$40,000). In the case of a married individual filing a separate return, the qualifying income  
33 amount in this clause is equal to twenty thousand dollars (\$20,000).

34 This amount is in addition to the amount subtracted under subdivision (4).

35 (6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal  
36 Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted  
37 gross income.

38 (7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code  
39 which amounts were received by the individual as supplemental railroad retirement annuities under  
40 45 U.S.C. 231 and which are not deductible under subdivision (1).

41 (8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement  
42 benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.

43 (9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less  
44 than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to  
45 subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total  
46 as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

47 (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,



1 IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted  
2 gross income with respect to which the individual is not allowed under federal law to retain an  
3 amount to pay state and local income taxes.

4 (11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement  
5 payment included in the individual's federal adjusted gross income.

6 (12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the  
7 taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the  
8 taxpayer's spouse if the taxpayer and the taxpayer's spouse file a joint income tax return or the  
9 taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.

10 (13) Subtract an amount equal to the lesser of:

11 (A) two thousand five hundred dollars (\$2,500), or one thousand two hundred fifty dollars  
12 (\$1,250) in the case of a married individual filing a separate return; or

13 (B) the amount of property taxes that are paid during the taxable year in Indiana by the individual  
14 on the individual's principal place of residence.

15 (14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment  
16 included in the individual's federal adjusted gross income.

17 (15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
18 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier  
19 taxable year equal to the amount of adjusted gross income that would have been computed had an  
20 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus  
21 depreciation to the property in the year that it was placed in service.

22 (16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code  
23 (concerning net operating losses).

24 (17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
25 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in  
26 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income  
27 that would have been computed had an election for federal income tax purposes not been made for  
28 the year in which the property was placed in service to take deductions under Section 179 of the  
29 Internal Revenue Code in a total amount exceeding the sum of:

30 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the  
31 Internal Revenue Code were not elected as provided in clause (B); and

32 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section  
33 179 of the Internal Revenue Code on property acquired in an exchange if:

34 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section  
35 1031 of the Internal Revenue Code in effect on January 1, 2017;

36 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the  
37 Internal Revenue Code; and

38 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal  
39 Revenue Code with regard to the acquired property in the year that the property was placed into  
40 service.

41 The amount of deductions allowable for an item of property under this clause may not exceed the  
42 amount of adjusted gross income realized on the property that would have been deferred under  
43 the Internal Revenue Code in effect on January 1, 2017.

44 (18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not  
45 excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the  
46 Internal Revenue Code.

47 (19) Subtract income that is:



1 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and  
2 (B) included in the individual's federal adjusted gross income under the Internal Revenue Code.  
3 (20) Add an amount equal to any income not included in gross income as a result of the deferral of  
4 income arising from business indebtedness discharged in connection with the reacquisition after  
5 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in  
6 Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross  
7 income of any taxpayer that added an amount to adjusted gross income in a previous year to offset  
8 the amount included in federal gross income as a result of the deferral of income arising from  
9 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and  
10 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the  
11 Internal Revenue Code.  
12 (21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue  
13 Code for interest received on an obligation of a state other than Indiana, or a political subdivision  
14 of such a state, that is acquired by the taxpayer after December 31, 2011.  
15 (22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the  
16 extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for  
17 a prior taxable year.  
18 (23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction  
19 for deferred foreign income that was claimed by the taxpayer for the taxable year under Section  
20 965(c) of the Internal Revenue Code.  
21 (24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as  
22 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any  
23 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section  
24 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an  
25 interest expense is considered paid or accrued only in the first taxable year the deduction would have  
26 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section  
27 163(j)(1) of the Internal Revenue Code did not exist.  
28 (25) Subtract the amount that would have been excluded from gross income but for the enactment  
29 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.  
30 (26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.  
31 **(27) Subtract the amount of an annual grant amount distributed to a taxpayer's Indiana**  
32 **education scholarship account under IC 20-51.4-4-2 that is used for a qualified expense (as**  
33 **defined in IC 20-51.4-2-11), to the extent the distribution used for the qualified expense is**  
34 **included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.**  
35 (b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal  
36 Revenue Code) adjusted as follows:  
37 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes  
38 of the United States.  
39 (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section  
40 170 of the Internal Revenue Code (concerning charitable contributions).  
41 (3) Except as provided in subsection (c), add an amount equal to any deduction or deductions  
42 allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or  
43 measured by income and levied at the state level by any state of the United States.  
44 (4) Subtract an amount equal to the amount included in the corporation's taxable income under  
45 Section 78 of the Internal Revenue Code (concerning foreign tax credits).  
46 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
47 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier



1 taxable year equal to the amount of adjusted gross income that would have been computed had an  
2 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus  
3 depreciation to the property in the year that it was placed in service.

4 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code  
5 (concerning net operating losses).

6 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
7 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in  
8 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income  
9 that would have been computed had an election for federal income tax purposes not been made for  
10 the year in which the property was placed in service to take deductions under Section 179 of the  
11 Internal Revenue Code in a total amount exceeding the sum of:

12 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the  
13 Internal Revenue Code were not elected as provided in clause (B); and

14 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section  
15 179 of the Internal Revenue Code on property acquired in an exchange if:

16 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section  
17 1031 of the Internal Revenue Code in effect on January 1, 2017;

18 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the  
19 Internal Revenue Code; and

20 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal  
21 Revenue Code with regard to the acquired property in the year that the property was placed into  
22 service.

23 The amount of deductions allowable for an item of property under this clause may not exceed the  
24 amount of adjusted gross income realized on the property that would have been deferred under  
25 the Internal Revenue Code in effect on January 1, 2017.

26 (8) Add to the extent required by IC 6-3-2-20:

27 (A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that  
28 reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code)  
29 for federal income tax purposes; and

30 (B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the  
31 corporation's adjusted gross income (determined without regard to this subdivision). For purposes  
32 of this clause, any directly related interest expense that constitutes business interest within the  
33 meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the  
34 taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise  
35 would have been allowable under Section 163 of the Internal Revenue Code if the limitation  
36 under Section 163(j)(1) of the Internal Revenue Code did not exist.

37 (9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the  
38 Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in  
39 section 34.5 of this chapter).

40 (10) Subtract income that is:

41 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

42 (B) included in the corporation's taxable income under the Internal Revenue Code.

43 (11) Add an amount equal to any income not included in gross income as a result of the deferral of  
44 income arising from business indebtedness discharged in connection with the reacquisition after  
45 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in  
46 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any  
47 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to



1 offset the amount included in federal gross income as a result of the deferral of income arising from  
2 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and  
3 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the  
4 Internal Revenue Code.

5 (12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue  
6 Code for interest received on an obligation of a state other than Indiana, or a political subdivision  
7 of such a state, that is acquired by the taxpayer after December 31, 2011.

8 (13) For taxable years beginning after December 25, 2016:

9 (A) for a corporation other than a real estate investment trust, add:

10 (i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax  
11 Statement, line 1; or

12 (ii) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in  
13 determining the taxpayer's taxable income for purposes of the federal income tax, the amount  
14 deducted under Section 965(c) of the Internal Revenue Code; and

15 (B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign  
16 income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal  
17 Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965  
18 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required  
19 to add back dividends paid under subdivision (9).

20 (14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year  
21 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed  
22 income). The taxpayer shall separately specify the amount of the reduction under Section  
23 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal  
24 Revenue Code.

25 (15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as  
26 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any  
27 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section  
28 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an  
29 interest expense is considered paid or accrued only in the first taxable year the deduction would have  
30 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section  
31 163(j)(1) of the Internal Revenue Code did not exist.

32 (16) Subtract the amount that would have been excluded from gross income but for the enactment  
33 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

34 (17) Add or subtract any other amounts the taxpayer is:

35 (A) required to add or subtract; or

36 (B) entitled to deduct;

37 under IC 6-3-2.

38 (c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add  
39 back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided  
40 in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:

41 (1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is  
42 required to add back under this section eighty-seven and five-tenths percent (87.5%) of any  
43 deduction allowed on the taxpayer's federal income tax return for wagering taxes.

44 (2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is  
45 required to add back under this section seventy-five percent (75%) of any deduction allowed on the  
46 taxpayer's federal income tax return for wagering taxes.

47 (3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is



1 required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction  
2 allowed on the taxpayer's federal income tax return for wagering taxes.

3 (4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is  
4 required to add back under this section fifty percent (50%) of any deduction allowed on the  
5 taxpayer's federal income tax return for wagering taxes.

6 (5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is  
7 required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction  
8 allowed on the taxpayer's federal income tax return for wagering taxes.

9 (6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is  
10 required to add back under this section twenty-five percent (25%) of any deduction allowed on the  
11 taxpayer's federal income tax return for wagering taxes.

12 (7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is  
13 required to add back under this section twelve and five-tenths percent (12.5%) of any deduction  
14 allowed on the taxpayer's federal income tax return for wagering taxes.

15 (8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back  
16 under this section any amount of a deduction allowed on the taxpayer's federal income tax return for  
17 wagering taxes.

18 (d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code)  
19 that are organized under Indiana law, the same as "life insurance company taxable income" (as defined  
20 in Section 801 of the Internal Revenue Code), adjusted as follows:

21 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes  
22 of the United States.

23 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal  
24 Revenue Code (concerning charitable contributions).

25 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)  
26 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level  
27 by any state.

28 (4) Subtract an amount equal to the amount included in the company's taxable income under Section  
29 78 of the Internal Revenue Code (concerning foreign tax credits).

30 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
31 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier  
32 taxable year equal to the amount of adjusted gross income that would have been computed had an  
33 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus  
34 depreciation to the property in the year that it was placed in service.

35 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code  
36 (concerning net operating losses).

37 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
38 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in  
39 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income  
40 that would have been computed had an election for federal income tax purposes not been made for  
41 the year in which the property was placed in service to take deductions under Section 179 of the  
42 Internal Revenue Code in a total amount exceeding the sum of:

43 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the  
44 Internal Revenue Code were not elected as provided in clause (B); and

45 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section  
46 179 of the Internal Revenue Code on property acquired in an exchange if:

47 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section





1           1031 of the Internal Revenue Code in effect on January 1, 2017;  
2           (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the  
3           Internal Revenue Code; and  
4           (iii) the taxpayer made an election to take deductions under Section 179 of the Internal  
5           Revenue Code with regard to the acquired property in the year that the property was placed into  
6           service.  
7           The amount of deductions allowable for an item of property under this clause may not exceed the  
8           amount of adjusted gross income realized on the property that would have been deferred under  
9           the Internal Revenue Code in effect on January 1, 2017.

10          (8) Subtract income that is:  
11           (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and  
12           (B) included in the insurance company's taxable income under the Internal Revenue Code.

13          (9) Add an amount equal to any income not included in gross income as a result of the deferral of  
14          income arising from business indebtedness discharged in connection with the reacquisition after  
15          December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in  
16          Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any  
17          taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to  
18          offset the amount included in federal gross income as a result of the deferral of income arising from  
19          business indebtedness discharged in connection with the reacquisition after December 31, 2008, and  
20          before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the  
21          Internal Revenue Code.

22          (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal  
23          Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter  
24          N of the Internal Revenue Code.

25          (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue  
26          Code for interest received on an obligation of a state other than Indiana, or a political subdivision  
27          of such a state, that is acquired by the taxpayer after December 31, 2011.

28          (12) For taxable years beginning after December 25, 2016, add:  
29           (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax  
30           Statement, line 1; or  
31           (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in  
32           determining the taxpayer's taxable income for purposes of the federal income tax, the amount  
33           deducted under Section 965(c) of the Internal Revenue Code.

34          (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year  
35          under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed  
36          income). The taxpayer shall separately specify the amount of the reduction under Section  
37          250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal  
38          Revenue Code.

39          (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as  
40          a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any  
41          interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section  
42          163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an  
43          interest expense is considered paid or accrued only in the first taxable year the deduction would have  
44          been allowable under Section 163 of the Internal Revenue Code if the limitation under Section  
45          163(j)(1) of the Internal Revenue Code did not exist.

46          (15) Subtract the amount that would have been excluded from gross income but for the enactment  
47          of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.



1 (16) Add or subtract any other amounts the taxpayer is:

2 (A) required to add or subtract; or

3 (B) entitled to deduct;

4 under IC 6-3-2.

5 (e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code  
6 and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal  
7 Revenue Code), adjusted as follows:

8 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes  
9 of the United States.

10 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal  
11 Revenue Code (concerning charitable contributions).

12 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c)  
13 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level  
14 by any state.

15 (4) Subtract an amount equal to the amount included in the company's taxable income under Section  
16 78 of the Internal Revenue Code (concerning foreign tax credits).

17 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
18 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier  
19 taxable year equal to the amount of adjusted gross income that would have been computed had an  
20 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus  
21 depreciation to the property in the year that it was placed in service.

22 (6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code  
23 (concerning net operating losses).

24 (7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
25 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in  
26 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income  
27 that would have been computed had an election for federal income tax purposes not been made for  
28 the year in which the property was placed in service to take deductions under Section 179 of the  
29 Internal Revenue Code in a total amount exceeding the sum of:

30 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the  
31 Internal Revenue Code were not elected as provided in clause (B); and

32 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section  
33 179 of the Internal Revenue Code on property acquired in an exchange if:

34 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section  
35 1031 of the Internal Revenue Code in effect on January 1, 2017;

36 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the  
37 Internal Revenue Code; and

38 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal  
39 Revenue Code with regard to the acquired property in the year that the property was placed into  
40 service.

41 The amount of deductions allowable for an item of property under this clause may not exceed the  
42 amount of adjusted gross income realized on the property that would have been deferred under  
43 the Internal Revenue Code in effect on January 1, 2017.

44 (8) Subtract income that is:

45 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

46 (B) included in the insurance company's taxable income under the Internal Revenue Code.

47 (9) Add an amount equal to any income not included in gross income as a result of the deferral of



1 income arising from business indebtedness discharged in connection with the reacquisition after  
2 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in  
3 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any  
4 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to  
5 offset the amount included in federal gross income as a result of the deferral of income arising from  
6 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and  
7 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the  
8 Internal Revenue Code.

9 (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal  
10 Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter  
11 N of the Internal Revenue Code.

12 (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue  
13 Code for interest received on an obligation of a state other than Indiana, or a political subdivision  
14 of such a state, that is acquired by the taxpayer after December 31, 2011.

15 (12) For taxable years beginning after December 25, 2016, add:

16 (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax  
17 Statement, line 1; or

18 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in  
19 determining the taxpayer's taxable income for purposes of the federal income tax, the amount  
20 deducted under Section 965(c) of the Internal Revenue Code.

21 (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year  
22 under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed  
23 income). The taxpayer shall separately specify the amount of the reduction under Section  
24 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal  
25 Revenue Code.

26 (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as  
27 a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any  
28 interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section  
29 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an  
30 interest expense is considered paid or accrued only in the first taxable year the deduction would have  
31 been allowable under Section 163 of the Internal Revenue Code if the limitation under Section  
32 163(j)(1) of the Internal Revenue Code did not exist.

33 (15) Subtract the amount that would have been excluded from gross income but for the enactment  
34 of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

35 (16) Add or subtract any other amounts the taxpayer is:

36 (A) required to add or subtract; or

37 (B) entitled to deduct;

38 under IC 6-3-2.

39 (f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b)  
40 of the Internal Revenue Code) adjusted as follows:

41 (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes  
42 of the United States.

43 (2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment  
44 included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist  
45 attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

46 (3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
47 owns property for which bonus depreciation was allowed in the current taxable year or in an earlier



1 taxable year equal to the amount of adjusted gross income that would have been computed had an  
2 election not been made under Section 168(k) of the Internal Revenue Code to apply bonus  
3 depreciation to the property in the year that it was placed in service.

4 (4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code  
5 (concerning net operating losses).

6 (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that  
7 placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in  
8 the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income  
9 that would have been computed had an election for federal income tax purposes not been made for  
10 the year in which the property was placed in service to take deductions under Section 179 of the  
11 Internal Revenue Code in a total amount exceeding the sum of:

12 (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the  
13 Internal Revenue Code were not elected as provided in clause (B); and

14 (B) for taxable years beginning after December 31, 2017, the deductions elected under Section  
15 179 of the Internal Revenue Code on property acquired in an exchange if:

16 (i) the exchange would have been eligible for nonrecognition of gain or loss under Section  
17 1031 of the Internal Revenue Code in effect on January 1, 2017;

18 (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the  
19 Internal Revenue Code; and

20 (iii) the taxpayer made an election to take deductions under Section 179 of the Internal  
21 Revenue Code with regard to the acquired property in the year that the property was placed into  
22 service.

23 The amount of deductions allowable for an item of property under this clause may not exceed the  
24 amount of adjusted gross income realized on the property that would have been deferred under  
25 the Internal Revenue Code in effect on January 1, 2017.

26 (6) Subtract income that is:

27 (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

28 (B) included in the taxpayer's taxable income under the Internal Revenue Code.

29 (7) Add an amount equal to any income not included in gross income as a result of the deferral of  
30 income arising from business indebtedness discharged in connection with the reacquisition after  
31 December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in  
32 Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any  
33 taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to  
34 offset the amount included in federal gross income as a result of the deferral of income arising from  
35 business indebtedness discharged in connection with the reacquisition after December 31, 2008, and  
36 before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the  
37 Internal Revenue Code.

38 (8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue  
39 Code for interest received on an obligation of a state other than Indiana, or a political subdivision  
40 of such a state, that is acquired by the taxpayer after December 31, 2011.

41 (9) For taxable years beginning after December 25, 2016, add an amount equal to:

42 (A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

43 (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in  
44 determining the taxpayer's taxable income for purposes of the federal income tax, the amount  
45 deducted under Section 965(c) of the Internal Revenue Code; and

46 (C) with regard to any amounts of income under Section 965 of the Internal Revenue Code  
47 distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code



1           attributable to such distributed amounts and not reported to the beneficiary.  
2       For purposes of this article, the amount required to be added back under clause (B) is not considered  
3       to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651  
4       and 661 of the Internal Revenue Code.

5       (10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as  
6       a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any  
7       interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section  
8       163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an  
9       interest expense is considered paid or accrued only in the first taxable year the deduction would have  
10      been allowable under Section 163 of the Internal Revenue Code if the limitation under Section  
11      163(j)(1) of the Internal Revenue Code did not exist.

12      (11) Add an amount equal to the deduction for qualified business income that was claimed by the  
13      taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

14      (12) Subtract the amount that would have been excluded from gross income but for the enactment  
15      of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

16      (13) Add or subtract any other amounts the taxpayer is:

17          (A) required to add or subtract; or

18          (B) entitled to deduct;

19      under IC 6-3-2.

20      (g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add  
21      back or allow a deduction or exemption more than once for a particular add back, deduction, or  
22      exemption.

23      (h) For taxable years beginning after December 25, 2016, if:

24          (1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit  
25          foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the  
26          earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign  
27          corporation is permitted to reduce the federal adjusted gross income or federal taxable income of  
28          the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this  
29          section to the extent permitted under the Internal Revenue Code, however, in no case shall this  
30          permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for  
31          purposes of this section to be less than zero (0); and

32          (2) the Internal Revenue Service issues guidance that such an income or deduction is not reported  
33          directly on a federal tax return or is to be reported in a manner different than specified in this  
34          section, this section shall be construed as if federal adjusted gross income or federal taxable income  
35          included the income or deduction.

36      SECTION 62. IC 6-3-1-11, AS AMENDED BY P.L.146-2020, SECTION 22, IS AMENDED TO  
37      READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021 (RETROACTIVE)]: Sec. 11. (a) The term  
38      "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and  
39      in effect on January 1, ~~2020~~ **2021**.

40      (b) Whenever the Internal Revenue Code is mentioned in this article, **or in another provision of the**  
41      **Indiana Code that cites to the definition of "Internal Revenue Code" provided in this section,** the  
42      particular provisions that are referred to, together with all the other provisions of the Internal Revenue  
43      Code in effect on January 1, ~~2020~~ **2021**, that pertain to the provisions specifically mentioned, shall be  
44      regarded as incorporated in this article by reference and have the same force and effect as though fully  
45      set forth in this article. **To the extent that a federal statute in the United States Code is enacted or**  
46      **amended in a title other than the Internal Revenue Code on or before January 1, 2021, and affects**  
47      **federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax**



1 attributes, the federal statute shall be considered to be part of the Internal Revenue Code as  
2 amended and in effect on January 1, 2021. Such federal statutes include, but are not limited to,  
3 federal statutes enacted or amended in the federal Coronavirus Aid, Relief, and Economic Security  
4 (CARES) Act (P.L. 116-136) and the federal Consolidated Appropriations Act, 2021 (P.L. 116-260).

5 To the extent:

6 (1) the provisions of the Internal Revenue Code apply to this article, regulations adopted under  
7 Section 7805(a) of the Internal Revenue Code, and in effect on January 1, ~~2020~~; **2021**; and

8 **(2) a federal statute in the United States Code that is enacted or amended in a title other than**  
9 **the Internal Revenue Code on or before January 1, 2021, and affects federal adjusted gross**  
10 **income, federal taxable income, federal tax credits, or other federal tax attributes applies to**  
11 **this article, regulations adopted under the federal statute of the United States Code and in**  
12 **effect on January 1, 2021;**

13 shall be regarded as rules adopted by the department under this article, unless the department adopts  
14 specific rules that supersede the regulation.

15 (c) An amendment to the Internal Revenue Code made by an act passed by Congress before January  
16 1, ~~2020~~; **2021**, other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax  
17 Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year  
18 that began before January 1, ~~2020~~; **2021**, and that affects:

19 (1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

20 (2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

21 (3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

22 (4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue  
23 Code);

24 (5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue  
25 Code); or

26 (6) taxable income (as defined in Section 832 of the Internal Revenue Code);

27 is also effective for that same taxable year for purposes of determining adjusted gross income under  
28 section 3.5 of this chapter **and IC 6-5.5-1-2.**

29 (d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions  
30 of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance  
31 Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not  
32 amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010  
33 (P.L. 111-312):

34 (1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock  
35 of shareholders.

36 (2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment  
37 of certain dividends of regulated investment companies.

38 (3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment  
39 companies qualified entity treatment.

40 (4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax  
41 treatment of certain payments to controlling exempt organizations.

42 (5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on  
43 percentage depletion in the case of oil and gas wells.

44 (6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions  
45 to implement Federal Energy Regulatory Commission or state electric restructuring policy for  
46 qualified electric utilities.

47 (7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of



1 payments between related controlled foreign corporation under foreign personal holding company  
2 rules.

3 The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this  
4 subsection.

5 SECTION 63. IC 6-3.1-24-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
6 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 2.5. As used in this chapter, "qualified  
7 Indiana investment fund" means any private fund that meets the definition of a venture capital  
8 fund in 17 CFR 275.203(l)-1 and that is certified by the Indiana economic development corporation  
9 as provided in section 7.5 of this chapter.**

10 SECTION 64. IC 6-3.1-24-3, AS AMENDED BY P.L.193-2005, SECTION 16, IS AMENDED TO  
11 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 3. As used in this chapter, "qualified  
12 investment capital" means debt or equity capital that is provided to a qualified Indiana business or a  
13 qualified Indiana investment fund after December 31, 2003. However, the term does not include debt  
14 that:**

- 15 (1) is provided by a financial institution (as defined in IC 5-13-4-10) after May 15, 2005; and
- 16 (2) is secured by a valid mortgage, security agreement, or other agreement or document that  
17 establishes a collateral or security position for the financial institution that is senior to all collateral  
18 or security interests of other taxpayers that provide debt or equity capital to the qualified Indiana  
19 business.

20 SECTION 65. IC 6-3.1-24-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
21 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 4.5. (a) As used in this chapter,  
22 "substantial presence" means:**

- 23 (1) maintaining a company headquarters in Indiana; or
  - 24 (2) maintaining at least seventy-five percent (75%) of a company's total payroll in Indiana.
- 25 (b) Notwithstanding subsection (a), a company receiving qualified investment capital from a  
26 qualified Indiana investment fund shall be considered to have substantial presence in Indiana if the  
27 company commits to relocate:
- 28 (1) its headquarters; or
  - 29 (2) seventy-five percent (75%) of its total payroll;
- 30 to Indiana within one (1) year of receiving qualified investment capital from a qualified Indiana  
31 investment fund.

32 SECTION 66. IC 6-3.1-24-6, AS AMENDED BY P.L.4-2005, SECTION 97, IS AMENDED TO  
33 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 6. A taxpayer that:**

- 34 (1) provides qualified investment capital to a qualified Indiana business or a qualified Indiana  
35 investment fund; and
- 36 (2) fulfills the requirements of the Indiana economic development corporation under section 12.5  
37 of this chapter;

38 is entitled to a credit against the ~~person's~~ taxpayer's state tax liability in a taxable year equal to the  
39 amount specified in section ~~10 8~~ or 8.5 of this chapter, **whichever is applicable.**

40 SECTION 67. IC 6-3.1-24-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
41 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7.5. (a) The Indiana economic  
42 development corporation may certify that an investment fund is a qualified Indiana investment  
43 fund if the corporation determines that the fund meets the definition in section 2.5 of this chapter  
44 and the requirements in subsection (b).**

45 (b) The Indiana economic development corporation may only certify a fund as a qualified  
46 Indiana investment fund if the fund makes investments according to a policy that:

- 47 (1) requires eligible companies to be primarily focused on the commercialization of research



1 and development, technology transfer, or application of new technology; and

2 (2) prioritizes investments in companies that:

3 (A) have received a grant, loan, or other investment funds provided by the Indiana  
4 twenty-first century research and technology fund established by IC 5-28-16-2; or

5 (B) maintain a substantial presence in Indiana.

6 (c) An investment fund must apply to be certified as a qualified Indiana investment fund on a  
7 form prescribed by the Indiana economic development corporation.

8 (d) If an investment fund is certified as a qualified Indiana investment fund under this section,  
9 the Indiana economic development corporation shall provide a copy of the certification to the  
10 investors in the qualified Indiana investment fund for inclusion in tax filings.

11 SECTION 68. IC 6-3.1-24-8, AS AMENDED BY P.L.172-2011, SECTION 67, IS AMENDED TO  
12 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8. (a) A certification provided under  
13 section 7 of this chapter must include notice to the investors of the maximum amount of tax credits  
14 available under this chapter for the provision of qualified investment capital to the qualified Indiana  
15 business.

16 (b) For a calendar year ending before January 1, 2011, the maximum amount of tax credits available  
17 under this chapter for the provision of qualified investment capital to a particular qualified Indiana  
18 business equals the lesser of:

19 (1) the total amount of qualified investment capital provided to the qualified Indiana business in the  
20 calendar year, multiplied by twenty percent (20%); or

21 (2) five hundred thousand dollars (\$500,000).

22 (c) For a calendar year beginning after December 31, 2010, and ending before January 1, 2022, the  
23 maximum amount of tax credits available under this chapter for the provision of qualified investment  
24 capital to a particular qualified Indiana business equals the lesser of the following:

25 (1) The total amount of qualified investment capital provided to the qualified Indiana business in  
26 the calendar year, multiplied by twenty percent (20%).

27 (2) One million dollars (\$1,000,000).

28 (d) For a calendar year beginning after December 31, 2021, the maximum amount of tax credits  
29 available under this chapter for the provision of qualified investment capital to a particular  
30 qualified Indiana business equals the lesser of the following:

31 (1) The total amount of qualified investment capital provided to the qualified Indiana business  
32 in the calendar year, multiplied by twenty-five percent (25%).

33 (2) One million dollars (\$1,000,000).

34 (e) Notwithstanding subsection (d), for a calendar year beginning after December 31, 2021, the  
35 maximum amount of tax credits available under this chapter for the provision of qualified  
36 investment capital to a particular qualified Indiana business, if the qualified Indiana business is a  
37 minority business enterprise or a women's business enterprise, equals the lesser of the following:

38 (1) The total amount of qualified investment capital provided to the qualified Indiana business  
39 in the calendar year, multiplied by thirty percent (30%).

40 (2) One million five hundred thousand dollars (\$1,500,000).

41 SECTION 69. IC 6-3.1-24-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
42 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 8.5. (a) A certification provided under  
43 section 7.5 of this chapter must include notice to investors of the maximum amount of tax credits  
44 available under this chapter for the provision of qualified investment capital to the qualified  
45 Indiana investment fund.

46 (b) The maximum amount of tax credits available under this chapter for the provision of  
47 qualified investment capital to a qualified Indiana investment fund equals the lesser of the





1 following:

2 (1) The total amount of qualified investment capital provided to the qualified Indiana  
3 investment fund in the calendar year, multiplied by twenty percent (20%).

4 (2) Five million dollars (\$5,000,000).

5 SECTION 70. IC 6-3.1-24-9 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. ~~Sec. 9:~~ The total  
6 amount of tax credits that may be approved by the corporation under this chapter in a particular calendar  
7 year for qualified investment capital provided during that calendar year may not exceed twelve million  
8 five hundred thousand dollars (\$12,500,000). An amount of an unused credit carried over by a taxpayer  
9 from a previous calendar year may not be considered in determining the amount of proposed investments  
10 that the Indiana economic development corporation may certify under this chapter.

11 SECTION 71. IC 6-3.1-24-10 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. ~~Sec. 10:~~ Subject to  
12 sections 8 and 13 of this chapter, the amount of the credit to which a taxpayer is entitled under section  
13 6 this chapter equals the product of:

14 (1) twenty percent (20%); multiplied by

15 (2) the amount of the qualified investment capital provided to a qualified Indiana business by the  
16 taxpayer in the taxable year.

17 SECTION 72. IC 6-3.1-24-12, AS AMENDED BY P.L.158-2019, SECTION 14, IS AMENDED TO  
18 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12. (a) If the amount of the credit  
19 determined under section ~~10 8 or 8.5~~ of this chapter for a taxpayer in a taxable year exceeds the taxpayer's  
20 state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to  
21 exceed the taxpayer's following five (5) taxable years. The amount of the credit carryover from a taxable  
22 year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this  
23 chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any  
24 unused credit amount.

25 (b) If the corporation certifies a credit for an investment that is made after June 30, 2020, and before  
26 July 1, 2029, the taxpayer may assign all or part of the credit to which the taxpayer is entitled under this  
27 chapter, subject to the limitations set forth in subsection (c).

28 (c) The following apply to the assignment of a credit under this chapter:

29 (1) A taxpayer may not assign all or part of a credit or credits to a particular person in amounts that  
30 are less than ten thousand dollars (\$10,000).

31 (2) Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of  
32 the credit in the manner prescribed by the corporation.

33 (3) An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the  
34 assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment  
35 is made, in the manner prescribed by the department.

36 (4) Once a particular credit or credits are assigned, the assignee may not assign all or part of the  
37 credit or credits to another person.

38 (5) A taxpayer may not receive value in connection with an assignment under this section that  
39 exceeds the value of that part of the credit assigned.

40 (d) The corporation shall collect and compile data on the assignments of tax credits under this chapter  
41 and determine the effectiveness of each assignment in getting projects completed. The corporation shall  
42 report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6  
43 before November 1, 2022. This subsection expires January 1, 2023.

44 SECTION 73. IC 6-3.1-24-12.5, AS AMENDED BY P.L.193-2005, SECTION 20, IS AMENDED TO  
45 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 12.5. (a) A taxpayer wishing to obtain  
46 a credit under this chapter must apply to the Indiana economic development corporation for a certification  
47 that the taxpayer's proposed investment plan would qualify for a credit under this chapter.



1 (b) The application required under subsection (a) must include:  
2 (1) the name and address of the taxpayer;  
3 (2) the name and address of each proposed recipient of the taxpayer's proposed investment;  
4 (3) the amount of the proposed investment;  
5 (4) a copy of the certification issued under section 7 or 7.5 of this chapter that the proposed recipient  
6 is a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable;**  
7 and  
8 (5) any other information required by the Indiana economic development corporation.

9 (c) If the Indiana economic development corporation determines that  
10 ~~(1) the proposed investment would qualify the taxpayer for a credit under this chapter, and~~  
11 ~~(2) the amount of the proposed investment would not result in the total amount of tax credits~~  
12 ~~certified for the calendar year exceeding twelve million five hundred thousand dollars~~  
13 ~~(\$12,500,000);~~  
14 the corporation ~~shall~~ **may** certify the taxpayer's proposed investment plan.

15 (d) To receive a credit under this chapter, the taxpayer must provide qualified investment capital to  
16 a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable,** according  
17 to the taxpayer's certified investment plan within two (2) years after the date on which the Indiana  
18 economic development corporation certifies the investment plan.

19 (e) Upon making the investment required under subsection (d), the taxpayer shall provide proof of the  
20 investment to the Indiana economic development corporation.

21 (f) Upon receiving proof of a taxpayer's investment under subsection (e), the Indiana economic  
22 development corporation shall issue the taxpayer a certificate indicating that the taxpayer has fulfilled the  
23 requirements of the corporation and that the taxpayer is entitled to a credit under this chapter.

24 **(g) Notwithstanding subsection (f), if a taxpayer is issued a certificate by the Indiana economic**  
25 **development corporation for an investment made in a qualified Indiana investment fund, a**  
26 **taxpayer may not claim the credit as provided in section 13 of this chapter before July 1, 2023.**

27 ~~(g)~~ **(h)** A taxpayer forfeits the right to a tax credit attributable to an investment certified under  
28 subsection (c) if the taxpayer fails to make the proposed investment within the period required under  
29 subsection (d).

30 SECTION 74. IC 6-3.1-24-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
31 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 15. (a) Before January 1, 2022, the**  
32 **total amount of credits that may be awarded by the Indiana economic development corporation**  
33 **under this chapter for investment plans certified as provided in section 12.5 of this chapter that**  
34 **propose investing qualified investment capital in a particular qualified Indiana business during a**  
35 **particular calendar year is twelve million five hundred thousand dollars (\$12,500,000).**

36 **(b) After December 31, 2021, the total amount of credits that may be awarded by the Indiana**  
37 **economic development corporation under this chapter for investment plans certified as provided**  
38 **in section 12.5 of this chapter that propose investing qualified investment capital in a particular**  
39 **qualified Indiana business or qualified Indiana investment fund during a particular calendar year**  
40 **is twenty million dollars (\$20,000,000), provided that not more than seven million five hundred**  
41 **thousand dollars (\$7,500,000) may be awarded for proposed investments of qualified investment**  
42 **capital in a qualified Indiana investment fund.**

43 SECTION 75. IC 6-3.1-30.5-13, AS AMENDED BY P.L.108-2019, SECTION 123, IS AMENDED  
44 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 13. (a) The total amount of tax credits**  
45 **awarded under this chapter may not exceed nine million five hundred thousand dollars (\$9,500,000) in**  
46 **the state fiscal year beginning July 1, 2016, and ending June 30, 2017.**

47 **(b) The total amount of tax credits awarded under this chapter in a state fiscal year may not exceed the**



1 following:

2 (1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning  
3 July 1, 2017, and ending June 30, 2018.

4 (2) Fourteen million dollars (\$14,000,000) for the state fiscal year beginning July 1, 2018, and  
5 ending June 30, 2019.

6 (3) Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending  
7 June 30, 2020.

8 (4) Sixteen million five hundred thousand dollars (\$16,500,000) for ~~each the~~ state fiscal year  
9 beginning ~~after June 30, 2020~~: **July 1, 2020, and ending June 30, 2021.**

10 **(5) Eighteen million dollars (\$18,000,000) for the state fiscal year beginning July 1, 2021, and**  
11 **ending June 30, 2022.**

12 **(6) Nineteen million dollars (\$19,000,000) for each state fiscal year beginning after June 30,**  
13 **2022.**

14 SECTION 76. IC 6-6-13-15, AS AMENDED BY P.L.218-2017, SECTION 57, IS AMENDED TO  
15 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. The department shall transfer aviation fuel  
16 excise taxes collected under this chapter to the treasurer of state for deposit **as follows:**

17 (1) Before July 1, 2017, in the state general fund. ~~and~~

18 (2) After June 30, 2017, **and before July 1, 2021**, as follows:

19 (A) Fifty percent (50%) in the state general fund.

20 (B) Fifty percent (50%) in the airport development grant fund established by IC 8-21-11-4.

21 **(3) After June 30, 2021, in the airport development grant fund established by IC 8-21-11-4.**

22 SECTION 77. IC 6-7-1-0.4, AS ADDED BY P.L.220-2011, SECTION 161, IS AMENDED TO READ  
23 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 0.4. (a) Notwithstanding section 14 of this chapter,  
24 revenue stamps paid for before July 1, 2007, and in the possession of a distributor may be used after June  
25 30, 2007, only if the full amount of the tax imposed by section 12 of this chapter, as effective after June  
26 30, 2007, and as amended by P.L.218-2007, is remitted to the department under the procedures prescribed  
27 by the department.

28 **(b) Notwithstanding section 14 of this chapter, revenue stamps paid for before July 1, 2021, and**  
29 **in possession of a distributor may be used after June 30, 2021, only if the full amount of the tax**  
30 **imposed under section 12 of this chapter, as amended and effective after June 30, 2021, is remitted**  
31 **to the department under the procedures prescribed by the department.**

32 SECTION 78. IC 6-7-1-12, AS AMENDED BY P.L.191-2016, SECTION 4, IS AMENDED TO  
33 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 12. The following taxes are imposed, and shall  
34 be collected and paid as provided in this chapter, upon the sale, exchange, bartering, furnishing, giving  
35 away, or otherwise disposing of cigarettes within the state of Indiana:

36 (1) On cigarettes weighing not more than three (3) pounds per thousand (1,000), a tax at the rate of  
37 ~~four and nine hundred seventy-five thousandths cents (\$0.04975)~~ **seven and five-tenths cents**  
38 **(\$0.075)** per individual cigarette.

39 (2) On cigarettes weighing more than three (3) pounds per thousand (1,000), a tax at the rate of ~~six~~  
40 ~~and six hundred twelve thousandths cents (\$0.06612)~~ **ten cents (\$0.10)** per individual cigarette,  
41 except that if any cigarettes weighing more than three (3) pounds per thousand (1,000) shall be more  
42 than six and one-half (6 1/2) inches in length, they shall be taxable at the rate provided in  
43 subdivision (1), counting each two and three-fourths (2 3/4) inches (or fraction thereof) as a separate  
44 cigarette.

45 SECTION 79. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015, SECTION 90, IS AMENDED TO  
46 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 28.1. The taxes, registration fees, fines, or  
47 penalties collected under this chapter shall be deposited in the following manner:



1 (1) ~~Four and twenty-two hundredths percent (4.22%)~~ **Three and eleven hundredths percent**  
2 **(3.11%)** of the money shall be deposited in a fund to be known as the cigarette tax fund.

3 (2) ~~Six-tenths percent (0.6%)~~ **Forty-four hundredths percent (0.44%)** of the money shall be  
4 deposited in a fund to be known as the mental health centers fund.

5 (3) The following amount of the money shall be deposited in the state general fund:

6 (A) After June 30, 2011, and before July 1, 2013, sixty and twenty-four hundredths percent  
7 (60.24%).

8 (B) After June 30, 2013, **and before July 1, 2021**, fifty-six and twenty-four hundredths percent  
9 (56.24%).

10 **(C) After June 30, 2021, forty-one and five-tenths percent (41.5%).**

11 (4) ~~Five and forty-three hundredths percent (5.43%)~~ **Four and one hundredths percent (4.01%)**  
12 of the money shall be deposited into the pension relief fund established in IC 5-10.3-11.

13 (5) ~~Twenty-seven and five hundredths percent (27.05%)~~ **Nineteen and ninety-six hundredths**  
14 **percent (19.96%)** of the money shall be deposited in the healthy Indiana plan trust fund established  
15 by IC 12-15-44.2-17.

16 (6) ~~Two and forty-six hundredths percent (2.46%)~~ **Twenty-eight and three hundredths percent**  
17 **(28.03%)** of the money shall be deposited in the state general fund for the purpose of paying  
18 appropriations for Medicaid—Current Obligations, for provider reimbursements.

19 (7) The following amount of the money shall be deposited in the state retiree health benefit trust  
20 fund established by IC 5-10-8-8.5 as follows:

21 (A) Before July 1, 2011, five and seventy-four hundredths percent (5.74%).

22 (B) After June 30, 2011, and before July 1, 2013, zero percent (0%).

23 (C) After June 30, 2013, **and before July 1, 2021**, four percent (4%).

24 **(D) After June 30, 2021, two and ninety-five hundredths percent (2.95%).**

25 The money in the cigarette tax fund, the mental health centers fund, the healthy Indiana plan trust fund,  
26 or the pension relief fund at the end of a fiscal year does not revert to the state general fund. However,  
27 if in any fiscal year, the amount allocated to a fund under subdivision (1) or (2) is less than the amount  
28 received in fiscal year 1977, then that fund shall be credited with the difference between the amount  
29 allocated and the amount received in fiscal year 1977, and the allocation for the fiscal year to the fund  
30 under subdivision (3) shall be reduced by the amount of that difference. Money deposited under  
31 subdivisions (6) through (7) may not be used for any purpose other than the purpose stated in the  
32 subdivision.

33 SECTION 80. IC 6-7-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ  
34 AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

35 **Chapter 4. Electronic Cigarette Tax**

36 **Sec. 1. As used in this chapter, "consumable material" means any liquid solution or other**  
37 **material that is depleted as a vapor product is used.**

38 **Sec. 2. As used in this chapter, "department" means the department of state revenue and**  
39 **includes its employees and agents.**

40 **Sec. 3. As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5,**  
41 **except that the term does not include taxes imposed under IC 6-2.5 or the excise tax imposed under**  
42 **this chapter.**

43 **Sec. 4. As used in this chapter, "person" has the meaning set forth in IC 6-7-1-4.**

44 **Sec. 5. As used in this chapter, "retail dealer" means a person engaged in the selling of**  
45 **consumable material, vapor products, or both to ultimate consumers.**

46 **Sec. 6. As used in this chapter, "vapor product" means either of the following:**

47 (1) A device, such as an electronic cigarette, that employs a mechanical heating element,



1 battery, or electronic circuit, regardless of shape or size, that can be used to produce vapor  
2 from a consumable material that may or may not be sold with the device.

3 (2) Any vapor cartridge or other container of a consumable material in a solution or other  
4 form that is intended to be used with or in a device described in subdivision (1).

5 Sec. 7. (a) An excise tax, known as the electronic cigarette tax, is imposed on the retail sale of  
6 consumable material and vapor products in Indiana.

7 (b) The electronic cigarette tax equals ten percent (10%) of the gross retail income received by  
8 the retail dealer for the sale.

9 (c) The person who acquires consumable material or vapor products in a retail transaction is  
10 liable for the tax on the transaction, and, except as otherwise incorporated in this chapter, shall pay  
11 the tax to the retail dealer as a separate added amount to the consideration in the transaction. A  
12 retail dealer that either:

13 (1) has a physical presence in Indiana, as described in IC 6-2.5-2-1(c); or

14 (2) meets one (1) or both of the thresholds in IC 6-2.5-2-1(d);

15 shall collect and remit the tax as an agent for the state.

16 (d) If the tax is not collected by the retail dealer, the consumer is responsible to remit the tax to  
17 the department. A retail dealer that is required to collect and remit tax under this chapter is jointly  
18 and severally liable for uncollected tax absent proof of exemption or payment by the purchaser.

19 (e) Before the fifteenth day of each month, each retail dealer liable for the collection and  
20 remittance of the tax imposed by this chapter shall:

21 (1) file a return with the department that includes all information required by the department  
22 including, but not limited to:

23 (A) the name of the retail dealer;

24 (B) the address of the retail dealer; and

25 (C) the certificate number of the retail dealer's electronic cigarette retail dealer's  
26 certificate; and

27 (2) pay the tax for which it is liable under this chapter for the preceding month.

28 All returns required to be filed and taxes required to be paid under this chapter must be made in  
29 an electronic format prescribed by the department.

30 (f) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties,  
31 definitions, exemptions, and administration apply to the imposition and administration of the tax  
32 imposed under this section, except to the extent such provisions are in conflict or inconsistent with  
33 the specific provisions of this chapter.

34 (g) A marketplace facilitator (as defined in IC 6-2.5-1-21.9) who is considered a retail merchant  
35 under IC 6-2.5-4-18 for a transaction to which this chapter applies shall collect and remit electronic  
36 cigarette taxes imposed on the retail transaction.

37 Sec. 8. (a) It is unlawful for any retail dealer to sell consumable material or vapor products in  
38 Indiana unless the retail dealer has a valid electronic cigarette retail dealer's certificate issued by  
39 the department.

40 (b) The department shall issue certificates to applicants that qualify under this section. A  
41 certificate issued under this section is valid for one (1) year unless revoked or suspended by the  
42 department and is not transferable. An electronic cigarette retail dealer's certificate may be  
43 revoked or suspended by the department in the same manner, for the same reasons, and is subject  
44 to the same procedures as for the revocation or suspension of a retail merchant's certificate under  
45 IC 6-2.5-8-7.

46 (c) An applicant for a certificate under this section must submit proof to the department of the  
47 appointment of an agent for service of process in Indiana if the applicant is:



- 1 (1) an individual whose principal place of residence is outside Indiana; or  
2 (2) a person, other than an individual, that has its principal place of business outside Indiana.  
3 (d) To obtain or renew a certificate under this section, a person must:  
4 (1) submit, for each location where it intends to distribute consumable material or vapor  
5 products, an application that includes all information required by the department;  
6 (2) pay a fee of twenty-five dollars (\$25) at the time of application; and  
7 (3) at the time of application, post a bond, issued by a surety company approved by the  
8 department, in an amount not less than one thousand dollars (\$1,000) and conditioned on the  
9 applicant's compliance with this chapter.

10 (e) If business is transacted at two (2) or more places by one (1) retail dealer, a separate  
11 certificate must be obtained for each place of business.

12 (f) Each certificate must be numbered, show the name and address of the retail dealer, and be  
13 posted in a conspicuous place at the place of business for which it is issued.

14 (g) If the department determines that a bond provided by a certificate is inadequate, the  
15 department may require a new bond in the amount necessary to fully protect the state.

16 Sec. 9. A retail dealer that sells consumable material or vapor products in Indiana without  
17 having obtained an electronic cigarette retail dealer's certificate, or after the retail dealer's  
18 certificate has been revoked or suspended by the department, commits a Class A misdemeanor.

19 Sec. 10. An individual who:

20 (1) is an individual retail dealer or an employee, an officer, or a member of a corporate or  
21 partnership retail dealer; and

22 (2) has a duty to remit electronic cigarette taxes to the department;

23 holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus  
24 any penalties and interest attributable to those taxes, to the state. If the individual knowingly fails  
25 to collect or remit those taxes to the state, the individual commits a Level 6 felony.

26 Sec. 11. All revenue from the tax imposed by this chapter must be deposited in the state general  
27 fund.

28 Sec. 12. The department may adopt rules under IC 4-22-2 necessary to enforce this chapter,  
29 including emergency rules under IC 4-22-2-37.1.

30 SECTION 81. IC 6-8.1-1-1, AS AMENDED BY P.L.156-2020, SECTION 29, IS AMENDED TO  
31 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. "Listed taxes" or "taxes" includes only the  
32 pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the supplemental wagering tax (IC 4-33-12); the  
33 riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling  
34 game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility  
35 services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax  
36 (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC  
37 6-3.5-1.1) (repealed); the county option income tax (IC 6-3.5-6) (repealed); the county economic  
38 development income tax (IC 6-3.5-7) (repealed); the local income tax (IC 6-3.6); the auto rental excise  
39 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  
40 (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal  
41 agreement under IC 6-8.1-3; the vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13);  
42 the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck  
43 campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the heavy equipment  
44 rental excise tax (IC 6-6-15); the vehicle sharing excise tax (IC 6-6-16); the cigarette tax (IC 6-7-1); **the**  
45 **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);  
46 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  
47 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county



1 admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for  
2 oversized vehicles (IC 9-20-3 and IC 9-20-18); the fees and penalties assessed for overweight vehicles (IC  
3 9-20-4 and IC 9-20-18); and any other tax or fee that the department is required to collect or administer.

4 SECTION 82. IC 6-8.1-3-16, AS AMENDED BY P.L.234-2019, SECTION 29, IS AMENDED TO  
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 16. (a) The department shall prepare a list of  
6 all outstanding tax warrants for listed taxes each month. The list shall identify each taxpayer liable for a  
7 warrant by name, address, amount of tax, and either Social Security number or employer identification  
8 number. Unless the department renews the warrant, the department shall exclude from the list a warrant  
9 issued more than ten (10) years before the date of the list. The department shall certify a copy of the list  
10 to the bureau of motor vehicles.

11 (b) The department shall prescribe and furnish tax release forms for use by tax collecting officials. A  
12 tax collecting official who collects taxes in satisfaction of an outstanding warrant shall issue to the  
13 taxpayers named on the warrant a tax release stating that the tax has been paid. The department may also  
14 issue a tax release:

15 (1) to a taxpayer who has made arrangements satisfactory to the department for the payment of the  
16 tax; or

17 (2) by action of the commissioner under IC 6-8.1-8-2(k).

18 (c) The department may not issue or renew:

19 (1) a certificate under IC 6-2.5-8 or **IC 6-7-4**;

20 (2) a license under IC 6-6-1.1 or IC 6-6-2.5; or

21 (3) a permit under IC 6-6-4.1;

22 to a taxpayer whose name appears on the most recent monthly warrant list, unless that taxpayer pays the  
23 tax, makes arrangements satisfactory to the department for the payment of the tax, or a release is issued  
24 under IC 6-8.1-8-2(k).

25 (d) The bureau of motor vehicles shall, before issuing the title to a motor vehicle under IC 9-17,  
26 determine whether the purchaser's or assignee's name is on the most recent monthly warrant list. If the  
27 purchaser's or assignee's name is on the list, the bureau shall enter as a lien on the title the name of the  
28 state as the lienholder unless the bureau has received notice from the commissioner under IC 6-8.1-8-2(k).

29 The tax lien on the title:

30 (1) is subordinate to a perfected security interest (as defined and perfected in accordance with  
31 IC 26-1-9.1); and

32 (2) shall otherwise be treated in the same manner as other title liens.

33 (e) The commissioner is the custodian of all titles for which the state is the sole lienholder under this  
34 section. Upon receipt of the title by the department, the commissioner shall notify the owner of the  
35 department's receipt of the title.

36 (f) The department shall reimburse the bureau of motor vehicles for all costs incurred in carrying out  
37 this section.

38 (g) Notwithstanding IC 6-8.1-8, a person who is authorized to collect taxes, interest, or penalties on  
39 behalf of the department under IC 6-3 or IC 6-3.6 may not, except as provided in subsection (h) or (i),  
40 receive a fee for collecting the taxes, interest, or penalties if:

41 (1) the taxpayer pays the taxes, interest, or penalties as consideration for the release of a lien placed  
42 under subsection (d) on a motor vehicle title; or

43 (2) the taxpayer has been denied a certificate or license under subsection (c) within sixty (60) days  
44 before the date the taxes, interest, or penalties are collected.

45 (h) In the case of a sheriff, subsection (g) does not apply if:

46 (1) the sheriff collects the taxes, interest, or penalties within sixty (60) days after the date the sheriff  
47 receives the tax warrant; or



1 (2) the sheriff collects the taxes, interest, or penalties through the sale or redemption, in a court  
2 proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

3 (i) In the case of a person other than a sheriff:

4 (1) subsection (g)(2) does not apply if the person collects the taxes, interests, or penalties within  
5 sixty (60) days after the date the commissioner employs the person to make the collection; and

6 (2) subsection (g)(1) does not apply if the person collects the taxes, interest, or penalties through the  
7 sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under  
8 subsection (d).

9 (j) IC 5-14-3-4, IC 6-8.1-7-1, and any other law exempting information from disclosure by the  
10 department do not apply to this subsection. The department shall prepare a list of retail merchants whose  
11 registered retail merchant certificate has not been renewed under IC 6-2.5-8-1(h) or whose registered  
12 retail merchant certificate has been revoked under IC 6-2.5-8-7 **or whose electronic cigarette retail  
13 dealer's certificate has been revoked or suspended under IC 6-7-4-8.** The list compiled under this  
14 subsection must identify each retail merchant by name (including any name under which the retail  
15 merchant is doing business), address, and county. The department shall publish the list compiled under  
16 this subsection on the department's Internet web site (as operated under IC 4-13.1-2) and make the list  
17 available for public inspection and copying under IC 5-14-3. The department or an agent, employee, or  
18 officer of the department is immune from liability for the publication of information under this subsection.

19 SECTION 83. IC 6-8.1-3-25, AS AMENDED BY P.L.10-2019, SECTION 42, IS AMENDED TO  
20 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. Notwithstanding any other law, the  
21 department shall deposit the amounts collected under a tax amnesty program carried out under section  
22 17 of this chapter after June 30, 2015, as follows:

23 (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  
24 1, 2017) shall be distributed to counties in the same manner as otherwise provided by the appropriate  
25 chapter of the Indiana Code.

26 (2) Eight percent (8%) of inheritance tax collected for resident decedents shall be distributed to  
27 counties in the manner provided under IC 6-4.1-9-6.

28 (3) County innkeeper's tax collected shall be deposited as required by IC 6-9.

29 (4) County and municipal food and beverage tax collected shall be deposited as required by IC 6-9.

30 (5) County admissions taxes collected shall be deposited as required by IC 6-9-13 and IC 6-9-28.

31 (6) Aircraft license excise tax collected shall be deposited as required by IC 6-6-6.5-21.

32 (7) Auto rental excise tax collected shall be deposited as required by IC 6-6-9-11.

33 (8) Supplemental auto rental excise tax shall be deposited as otherwise required by the appropriate  
34 chapter of the Indiana Code.

35 (9) Financial institutions tax collected shall be deposited as required by IC 6-5.5-8-2.

36 (10) After making the deposits required under subdivisions (1) through (9), the first eighty-four  
37 million dollars (\$84,000,000) collected must be deposited into the Indiana regional cities  
38 development fund established by IC 5-28-38-2 **(before its repeal).**

39 (11) After making the deposits required under subdivisions (1) through (10), the next six million  
40 dollars (\$6,000,000) collected shall be transferred to the Indiana department of transportation to  
41 reimburse the Indiana department of transportation for money expended by the Indiana department  
42 of transportation under IC 8-23-2-18.5 (before its expiration) for the operation of the Hoosier State  
43 Rail Line. However, the total amount transferred under this subdivision to the Indiana department  
44 of transportation may not exceed the lesser of:

45 (A) six million dollars (\$6,000,000); or

46 (B) the total amount expended by the Indiana department of transportation under IC 8-23-2-18.5  
47 (before its expiration) for the operation of the Hoosier State Rail Line after June 30, 2015, and





1 before July 1, 2017.

2 (12) After making the deposits required under subdivisions (1) through (11), the next forty-two  
3 million dollars (\$42,000,000) collected must be deposited into the Indiana regional cities  
4 development fund established by IC 5-28-38-2 (**before its repeal**). The amount deposited under this  
5 subdivision is appropriated to the Indiana economic development corporation for the purposes of  
6 the Indiana regional cities development fund.

7 (13) After making the deposits required under subdivisions (1) through (12), the next twenty-nine  
8 million eight hundred seventy thousand dollars (\$29,870,000) shall be transferred as follows:

9 (A) Eight million seven hundred thousand dollars (\$8,700,000) to the Indiana public retirement  
10 system for credit to the Indiana public employees' retirement fund established by IC 5-10.3-2-1.

11 (B) Twenty million seven hundred thousand dollars (\$20,700,000) to the Indiana public  
12 retirement system for credit to the pre-1996 account of the Indiana state teachers' retirement fund  
13 established by IC 5-10.4-2-1.

14 (C) Seventy thousand dollars (\$70,000) to the Indiana public retirement system for credit to the  
15 state excise police, gaming agent, gaming control officer, and conservation enforcement officers'  
16 retirement plan established by IC 5-10-5.5-2.

17 (D) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund  
18 under IC 10-12-1-11 for the state police pre-1987 benefit system.

19 (E) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund  
20 under IC 10-12-1-11 for the state police 1987 benefit system.

21 The amounts transferred under this subdivision shall be used to pay costs that must be paid for any  
22 thirteenth check payments or similar supplemental check payments that are enacted by the general  
23 assembly and made to the members and beneficiaries of a public pension plan under HEA  
24 1161-2016. The amounts transferred under this subdivision are appropriated for the purposes of this  
25 subdivision.

26 (14) After making the deposits required under subdivisions (1) through (13), the next ten million  
27 dollars (\$10,000,000) shall be deposited into the next generation Hoosier educators scholarship fund  
28 established by IC 21-12-16-3.

29 (15) Any remaining amounts collected must be deposited into the state general fund.

30 SECTION 84. IC 7.1-4-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

31 Sec. 5. The department shall deposit:

32 (1) four cents (\$0.04) of the beer excise tax rate collected on each gallon of beer or flavored malt  
33 beverage;

34 (2) one dollar (\$1) of the liquor excise tax rate collected on each gallon of liquor;

35 (3) ~~twenty cents (\$0.20)~~ **twenty-five cents (\$0.25)** of the wine excise tax rate collected on each  
36 gallon of wine;

37 (4) the entire amount of malt excise tax collected; and

38 (5) the entire amount of hard cider excise tax collected;

39 daily with the treasurer of state and not later than the fifth day of the following month shall cover them  
40 into the general fund of the state for distribution as provided in this chapter.

41 SECTION 85. IC 7.1-4-9-4, AS AMENDED BY P.L.224-2005, SECTION 26, IS AMENDED TO  
42 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~Thirty-seven percent (37%)~~ **Twenty-two**  
43 **percent (22%)** of the money in the excise fund shall be deposited in the state general fund on the first  
44 day of June and the first day of December of each year.

45 SECTION 86. IC 7.1-4-9-7.5, AS ADDED BY P.L.224-2005, SECTION 28, IS AMENDED TO  
46 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7.5. ~~Thirty percent (30%)~~ **Forty-five percent**  
47 **(45%)** of the money in the excise fund shall be deposited in the enforcement and administration fund



1 under IC 7.1-4-10 on the first day of June and the first day of December of each year.

2 SECTION 87. IC 7.1-4-11-5 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 5. The department~~  
3 ~~shall deposit in the wine grape market development fund created under IC 7.1-4-13 five cents (\$0.05) of~~  
4 ~~the wine excise tax rate collected on each gallon of wine under IC 7.1-4-4.~~

5 SECTION 88. IC 8-15.5-1-2, AS AMENDED BY P.L.9-2020, SECTION 1, IS AMENDED TO READ  
6 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete  
7 authority for public-private agreements between the authority, a private entity, and, where applicable, a  
8 governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice,  
9 consent, approval, order, or act by the authority or any other officer, department, agency, or  
10 instrumentality of the state or any political subdivision is required for the authority to enter into a  
11 public-private agreement with a private entity under this article, or for a project that is the subject of a  
12 public-private agreement to be constructed, acquired, maintained, repaired, operated, financed,  
13 transferred, or conveyed.

14 (b) Before the authority or the department may issue a request for proposals for or enter into a  
15 public-private agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** for  
16 the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a  
17 statute authorizing the imposition of ~~tolls~~ **user fees**. However, ~~during the period~~ beginning July 1, 2011,  
18 ~~and ending June 30, 2021, and notwithstanding subsection (c),~~ the general assembly is not required to  
19 enact a statute authorizing the authority or the department to issue a request for proposals or enter into  
20 a public-private agreement to authorize an operator to impose ~~tolls~~ **user fees** for the operation of motor  
21 vehicles on all or part of the following projects:

22 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate  
23 Highway 69 other than a part described in subdivision (4).

24 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other  
25 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or  
26 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

27 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in  
28 northwestern Indiana with an interstate highway in Illinois.

29 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and  
30 that connects the state of Indiana with the commonwealth of Kentucky.

31 However, neither the authority nor the department may issue a request for proposals for a public-private  
32 agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** unless the budget  
33 committee has reviewed the request for proposals.

34 (c) ~~Before~~ **Except as provided in subsection (b), before** the authority or an operator may carry out  
35 any of the following activities under this article, the general assembly must enact a statute authorizing that  
36 activity:

37 (1) Imposing ~~tolls~~ **user fees** on motor vehicles for use of Interstate Highway 69.

38 (2) Imposing ~~tolls~~ **user fees** on motor vehicles for use of a nontolled highway, roadway, or other  
39 facility in existence or under construction on July 1, 2011, including nontolled interstate highways,  
40 U.S. routes, and state routes.

41 (d) The general assembly is not required to enact a statute authorizing the authority or the department  
42 to issue a request for proposals or enter into a public-private agreement for a freeway project.

43 (e) The authority may enter into a public-private agreement for a facility project if the general  
44 assembly, by statute, authorizes the authority to enter into a public-private agreement for the facility  
45 project.

46 (f) As permitted by subsection (e), the general assembly authorizes the authority to enter into  
47 public-private agreements for a state park inn and related improvements in an existing state park located



1 in a county with a population of more than two hundred thousand (200,000) and less than three hundred  
2 thousand (300,000).

3 SECTION 89. IC 8-15.5-6-3, AS AMENDED BY P.L.205-2013, SECTION 158, IS AMENDED TO  
4 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The operator or any contractor or  
5 subcontractor of the operator engaged in the construction of a project is subject to:

6 (1) the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and  
7 women's business enterprises to participate in procurement and contracting processes **or as required**  
8 **by federal law**; and

9 (2) the provisions that may be established by the authority in a public-private agreement with respect  
10 to awarding contracts to Indiana businesses (as defined in IC 5-22-15-20.5).

11 SECTION 90. IC 8-15.7-1-5, AS AMENDED BY P.L.94-2015, SECTION 4, IS AMENDED TO  
12 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and  
13 complete authority for agreements and leases with private entities to carry out the activities described in  
14 this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent,  
15 approval, order, or act by the authority, the department, or any other state or local agency or official is  
16 required **for the department to enter into an a public-private agreement or lease, with a private entity**  
17 **under this article for a project to be constructed, maintained, repaired, or operated**, and no law to  
18 the contrary affects, limits, or diminishes the authority for agreements and leases with private entities,  
19 except as provided by this article. However, this article may not be construed to:

20 (1) limit the power of the authority, the department, or a private entity to enter an agreement; or  
21 (2) impose any procedural or substantive requirements on the authority, the department, or a private  
22 entity;

23 concerning a project (as defined by IC 8-15.5-2-7) carried out under IC 8-15.5.

24 (b) Notwithstanding any other law, **and except as provided in subsection (d)**, before the department,  
25 the authority, or an operator may carry out any of the following activities under this article, the general  
26 assembly must enact a statute authorizing that activity: **enter into public-private agreements that**  
27 **impose user fees on motor vehicles for use of:**

28 (1) Subject to subsection (d), and after June 30, 2011, issuing a request for proposals for, or entering  
29 into, a public-private agreement concerning a project.

30 (2) ~~Imposing user fees on motor vehicles for use of Interstate Highway 69-~~

31 (1) **Interstate Highway 69; or**

32 (2) **nontolled highways, roadways, or other facilities in existence or under construction on July**  
33 **1, 2011, including nontolled interstate highways, U.S. routes, and state routes;**

34 **the general assembly must enact a statute authorizing that activity.**

35 (c) Notwithstanding ~~subsection (b)~~ or any other law, the department or the authority may enter into a  
36 public-private agreement concerning a project consisting of a passenger or freight railroad system  
37 described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the  
38 general assembly. However, this subsection does not prohibit the department from:

39 (1) conducting preliminary studies that the department considers necessary to determine the  
40 feasibility of such a project; or

41 (2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such  
42 a project.

43 (d) ~~Notwithstanding subsection (b); during the period Beginning July 1, 2011, and ending June 30,~~  
44 ~~2021~~, the general assembly is not required to enact a statute authorizing the department, the authority, or  
45 an operator to issue a request for proposals for, or enter into, a public-private agreement **that imposes**  
46 **user fees for the operation of motor vehicles** for the following projects:

47 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate



1 Highway 69 other than a part described in subdivision (4).

2 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other  
3 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or  
4 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

5 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in  
6 northwestern Indiana with an interstate highway in Illinois.

7 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and  
8 that connects the state of Indiana with the commonwealth of Kentucky.

9 **(e) The following apply:**

10 **(1) The authority shall be a party to any public-private agreement entered into pursuant to**  
11 **this article that requires payments to be made to an operator after the operator receives final**  
12 **payment for construction.**

13 **(2) The authority may issue bonds or refunding bonds under IC 5-1.2-4 to provide funds for**  
14 **any amounts identified under this article but is not required to comply with IC 8-9.5-8-10.**

15 SECTION 91. IC 8-23-3-8, AS AMENDED BY P.L.153-2014, SECTION 16, IS AMENDED TO  
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The public mass transportation fund is  
17 established for the purpose of promoting and developing public mass transportation in Indiana. The fund  
18 shall be administered by the department.

19 (b) The treasurer of state may invest the money in the fund in the same manner as other public funds  
20 may be invested.

21 (c) Money in the fund at the end of a fiscal year does not revert to the state general fund.

22 (d) This subsection applies to a calendar year beginning after December 31 of a calendar year in which  
23 an eligible county (as defined by IC 8-25-1-4) begins to carry out a public transportation project approved  
24 under IC 8-25. The distribution formula established by the department is subject to ~~annual review by the~~  
25 ~~budget committee and~~ approval by the budget director to ensure that a public mass transportation system  
26 located in a county other than an eligible county is not adversely affected by a public transportation  
27 project carried out under IC 8-25.

28 SECTION 92. IC 8-23-7-22, AS AMENDED BY P.L.94-2015, SECTION 5, IS AMENDED TO  
29 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the  
30 department may, after issuing an order and receiving the governor's approval, determine that a state  
31 highway should become a tollway. After the order becomes effective, the department shall maintain and  
32 operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private  
33 agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this  
34 section, the department shall submit to the governor a plan to bring the tollway to the current design  
35 standards of the department for new state highways within a specified period. The specified period may  
36 not exceed five (5) years.

37 (b) Before the governor, the department, or an operator may carry out any of the following activities  
38 under this section, the general assembly must enact a statute authorizing that activity:

39 (1) Determine that a highway that is in existence or under construction on July 1, 2011, should  
40 become a tollway.

41 (2) Impose tolls on motor vehicles for use of Interstate Highway 69.

42 (c) Notwithstanding subsection (b), ~~during the period~~ beginning July 1, 2011, ~~and ending June 30,~~  
43 ~~2021,~~ the general assembly is not required to enact a statute authorizing the governor, the department, or  
44 an operator to determine that all or part of the following projects should become a tollway:

45 (1) A project on which construction begins after June 30, 2011, not including any part of Interstate  
46 Highway 69 other than a part described in subdivision (4).

47 (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other



1 facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or  
2 facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

3 (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in  
4 northwestern Indiana with an interstate highway in Illinois.

5 (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and  
6 that connects the state of Indiana with the commonwealth of Kentucky.

7 SECTION 93. IC 12-15-1.3-18, AS ADDED BY P.L.217-2017, SECTION 78, IS AMENDED TO  
8 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 18. (a) The definitions set forth in 460 IAC 6-3  
9 as of ~~January 1, 2017~~, **January 1, 2021**, apply to the terms that are used in this section.

10 **(b) As used in this section, "benefits" means allowances and services provided by employers to**  
11 **employees as compensation that is in addition to salary and wages.**

12 ~~(b)~~ **(c)** The office of the secretary shall increase the reimbursement rate for services if the services are  
13 provided as follows:

14 (1) The services are provided to an individual who receives services under a Medicaid waiver under  
15 the federal home and community based services program.

16 (2) The individual is authorized under the Medicaid waiver described in subdivision (1) to receive  
17 any of the following services:

18 (A) Adult day services.

19 (B) Prevocational services.

20 (C) Residential habilitation and support.

21 (D) Respite.

22 ~~(E) Supported employment and~~ Extended services as defined in the family supports Medicaid  
23 waiver **and the community integration habilitation Medicaid waiver.**

24 ~~(F) Community habilitation and participation services:~~ **Day rehabilitation, as defined in the**  
25 **family supports Medicaid waiver and the community integration habilitation Medicaid**  
26 **waiver.**

27 (G) Workplace assistance, as defined in the family supports Medicaid waiver and the community  
28 integration habilitation Medicaid waiver.

29 ~~(H) Facility habilitation:~~

30 ~~(H)~~ **(H)** Residential habilitation and support (RHS daily).

31 ~~(I)~~ **(I)** Transportation services.

32 ~~(J)~~ **(J)** Participant assistance and care, as defined in the family supports Medicaid waiver.

33 ~~(K)~~ **(K)** Facility based support, as defined in the family supports Medicaid waiver and the  
34 community integration habilitation Medicaid waiver.

35 (3) The services are delivered to the individual by a direct care staff.

36 ~~(d)~~ **(d)** The amount of the increase in the reimbursement rate described in subsection ~~(b)~~ **(c)** for a state  
37 fiscal year beginning July 1, ~~2017~~, **2021**, or thereafter is the reimbursement rate in effect as of June 30,  
38 ~~2017~~, **2019**, for the services listed in subsection ~~(b)(2)~~ **(c)(2)** multiplied by ~~five percent (5%)~~ **seven**  
39 **percent (7%).**

40 ~~(e)~~ **(e)** An authorized service provider shall use at least ~~seventy-five percent (75%)~~ **eighty-five percent**  
41 **(85%)** of the amount of the increase in the reimbursement rate to **pay payroll tax liabilities and to**  
42 **increase the wages and benefits** paid to direct care staff who:

43 (1) are employed by the authorized service provider to provide services in Indiana; ~~and~~

44 (2) provide support services listed in subsection ~~(b)(2)~~ **(c)(2)**; ~~and~~

45 **(3) are paid on an hourly basis.**

46 ~~(f)~~ **(f)** If a provider does not use at least ~~seventy-five percent (75%)~~ **eighty-five percent (85%)** of the  
47 increase to **pay payroll tax liabilities and to** increase wages **and benefits** paid to direct care staff, the



1 office shall recoup part or all of the increase in the reimbursement rate that the provider receives as  
2 provided in subsection ~~(g)~~: **(h)**.

3 ~~(f)~~ **(g)** An authorized service provider providing services in Indiana shall provide written and  
4 electronic notification of its plan to **pay payroll tax liabilities and to increase wages and benefits** to:

5 (1) direct care staff **described in subsection (e) who are employed by the provider**; and

6 (2) the office of the secretary;

7 within thirty (30) days after the office implements an increase in reimbursement rates.

8 ~~(g)~~ **(h)** The office may recoup the difference between ~~seventy-five percent (75%)~~ **eighty-five percent**  
9 **(85%)** of the amount received by a provider as a result of increased reimbursement rates and the amount  
10 of the increase that is actually used by the provider to **pay payroll tax liabilities and to pay an increase**  
11 **in wages and benefits** to direct care staff. The remaining ~~twenty-five percent (25%)~~ **fifteen percent**  
12 **(15%)** may be retained by the provider to cover ~~the other employer related costs of providing direct care~~  
13 ~~services, including payroll taxes, benefits, and paid time for nondirect services such as paid time off and~~  
14 ~~training; administrative and overhead costs.~~

15 ~~(h)~~ **(i)** Providers shall maintain all books, documents, papers, accounting records, and other evidence  
16 required to support the reporting of payroll information for **payment of payroll tax liabilities and for**  
17 **increased wages and benefits** to direct care staff. Wages are defined as total compensation, **including**  
18 **paid time off and training**, less overtime and shift differential for direct care staff providing services to  
19 individuals receiving the services described in subsection ~~(b)(2)~~ **(c)(2)** as reported on the provider's  
20 payroll records. Providers shall make these materials available at their respective offices at all reasonable  
21 times and for three (3) years from the date of final payment for the services listed in subsection ~~(b)(2)~~  
22 **(c)(2)** for inspection by the state or its authorized designees. Providers shall furnish copies at no cost to  
23 the state if requested.

24 ~~(i)~~ **(j)** The office or its designee may recoup all or a part of the amount paid using the increased  
25 reimbursement rates based upon an audit or review of the supporting documentation required to be  
26 maintained under subsection ~~(h)~~ **(i)** if the provider cannot provide adequate documentation to support the  
27 **payment of payroll tax liabilities and the payment of increased wages and benefits** to direct care staff.

28 ~~(j)~~ **(k)** If required, the office shall file Medicaid waiver amendments for the family supports Medicaid  
29 waiver and the community integration and habilitation Medicaid waiver related to rate increases and  
30 Medicaid waiver caps only on or before ~~September 30, 2017~~, **October 1, 2021**, with the earliest possible  
31 effective date allowed by the federal Centers for Medicare and Medicaid Services. If the federal Centers  
32 for Medicare and Medicaid Services ~~deny~~ **denies** the Medicaid waiver amendments, the office may  
33 modify the waiver amendment request. If a waiver amendment is not approved, rate increases may not  
34 be granted under this section.

35 ~~(k)~~ **(l)** This section may not be construed as creating an employment relationship of any kind between  
36 office staff and direct care staff of an authorized service provider.

37 SECTION 94. IC 12-15-14-8, AS ADDED BY P.L.224-2017, SECTION 4, IS AMENDED TO READ  
38 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. ~~(a) The office shall use the RUG-IV, 48-Group~~  
39 ~~model for payment of nursing facility services.~~

40 ~~(b)~~ **(a)** Beginning July 1, 2018, the office may implement an end of therapy reclassification  
41 methodology in the RUG-IV, 48-Group model for payment of nursing facility services.

42 ~~(e)~~ **(b)** Before the office changes a health facility service reimbursement that results in a reduction in  
43 reimbursement, the office shall provide public notice of at least one (1) year. The public notice under this  
44 subsection:

45 (1) is not a rulemaking action or part of the administrative rulemaking process under IC 4-22; and

46 (2) must include the fiscal impact of the proposed reimbursement change.

47 SECTION 95. IC 12-16-17-1, AS ADDED BY P.L.146-2008, SECTION 391, IS AMENDED TO



1 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The office of the secretary of family and  
2 social services shall annually transfer ~~forty million dollars (\$40,000,000)~~ **thirty-two million three**  
3 **hundred thousand dollars (\$32,300,000)** to a hospital corporation established under IC 16-22-8 from  
4 the state general fund for the purposes of the hospital corporation.

5 SECTION 96. IC 12-17.2-7.2-11, AS AMENDED BY P.L.184-2017, SECTION 28, IS AMENDED  
6 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11. Except as provided under  
7 ~~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  
8 qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under  
9 IC 20-51-4.

10 SECTION 97. IC 16-21-10-21, AS AMENDED BY P.L.108-2019, SECTION 203, IS AMENDED TO  
11 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. This chapter expires June 30, ~~2021-~~  
12 **2023.**

13 SECTION 98. IC 16-28-15-14, AS AMENDED BY P.L.108-2019, SECTION 204, IS AMENDED TO  
14 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. This chapter expires June 30, ~~2021-~~  
15 **2023.**

16 SECTION 99. IC 20-20-12-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ  
17 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The department shall administer the advanced  
18 placement program established by ~~IC 20-36-3-4(a)~~; **IC 20-36-3-4.**

19 SECTION 100. IC 20-24-7-13, AS AMENDED BY P.L.159-2019, SECTION 10, IS AMENDED TO  
20 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13. (a) After June 30, 2019, a virtual charter  
21 school may only apply for authorization with any statewide authorizer in accordance with the authorizer's  
22 guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew  
23 a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and  
24 IC 20-24-1-2.5(3) is not considered a statewide authorizer.

25 (b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the  
26 state in an amount equal to:

27 (1) the quotient of:

28 (A) the school's basic tuition support determined under ~~IC 20-43-6-3(e)~~; **IC 20-43-6-3**; divided  
29 by

30 (B) twelve (12); plus

31 (2) the total of any:

32 (A) special education grants under IC 20-43-7;

33 (B) career and technical education grants under IC 20-43-8; and

34 (C) honor grants under IC 20-43-10;

35 to which the virtual charter school is entitled for the month.

36 For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be  
37 calculated in the same manner as special education grants are calculated for other school corporations.

38 (c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

39 (d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual  
40 charter schools authorized by the authorizer that include the following:

41 (1) Minimum requirements for the mandatory annual onboarding process and orientation required  
42 under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide  
43 to a parent of a student:

44 (A) the student engagement and attendance requirements or policies of the virtual charter school;  
45 and

46 (B) notice that a person who knowingly or intentionally deprives a dependent of education  
47 commits a violation under IC 35-46-1-4.



1 (2) Requirements relating to tracking and monitoring student participation and attendance.  
2 (3) Ongoing student engagement and counseling policy requirements.  
3 (4) Employee policy requirements, including professional development requirements.  
4 (e) The department, with the approval of the state board, shall before December 1 of each year submit  
5 an annual report to the budget committee concerning the program under this section.  
6 (f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter  
7 schools under this section for the first time must have been included in the state's fall count of ADM  
8 conducted in the previous school year.  
9 (g) Each virtual charter school shall report annually to the department concerning the following, on  
10 a schedule determined by the department:  
11 (1) Classroom size.  
12 (2) The ratio of teachers per classroom.  
13 (3) The number of student-teacher meetings conducted in person or by video conference.  
14 (4) Any other information determined by the department.  
15 The department shall provide this information annually to the state board and the legislative council in  
16 an electronic format under IC 5-14-6.  
17 (h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to  
18 participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter  
19 school. The policies adopted by the virtual charter school must ensure that:  
20 (1) adequate notice of the withdrawal is provided to the parent and the student; and  
21 (2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for  
22 the student or the parent to demonstrate that failure to participate in the course is due to an event that  
23 would be considered an excused absence under IC 20-33-2.  
24 (i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the  
25 school's student engagement policy may not reenroll in that same virtual charter school for the school year  
26 in which the student is withdrawn.  
27 (j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the  
28 authorizer complies with the requirements described in subsections (h) and (i).  
29 SECTION 101. IC 20-24-7-13.5, AS AMENDED BY P.L.108-2019, SECTION 210, IS AMENDED  
30 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13.5. (a) This section applies to the  
31 following charter schools:  
32 (1) The Excel Centers for Adult Learners.  
33 (2) The Christel House DORS centers.  
34 (3) The Gary Middle College charter schools.  
35 (b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a)  
36 is entitled to receive funding from the state in an amount equal to the product of:  
37 (1) the charter school's number of students who are Indiana residents (expressed as full-time  
38 equivalents); multiplied by  
39 (2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.  
40 (c) However, in the case of the charter school described in subsection (a)(3), the funding under this  
41 section applies only for those students who are twenty-two (22) years of age and older. In addition, the  
42 total number of students (expressed as full-time equivalents) of all adult learners in charter schools  
43 covered by this section may not exceed the following:  
44 ~~(1) For the 2018-2019 state fiscal year:~~  
45 ~~(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students;~~  
46 ~~(B) For the Gary Middle College charter schools, two hundred (200) adult learner students;~~  
47 ~~(C) For the Excel Centers for Adult Learners, four thousand seven hundred (4,700) adult learner~~





1 students.

2 ~~(2)~~ **(1)** For the ~~2019-2020~~ **2021-2022** state fiscal year:

3 (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

4 (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

5 (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner

6 students.

7 ~~(3)~~ **(2)** For the ~~2020-2021~~ **2022-2023** state fiscal year:

8 (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

9 (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

10 (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner

11 students.

12 (d) A charter school described in subsection (a) is entitled to receive federal special education funding.

13 (e) The state funding under this section shall be paid each state fiscal year under a schedule set by the

14 budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12)

15 payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the

16 payments in each state fiscal year shall equal the amount required under this section. However, if the

17 appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced

18 proportionately.

19 (f) A charter school that receives funding as provided in this section must report the following

20 information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative

21 council, on a schedule specified by the state board:

22 (1) The number of adult learners enrolled in the charter school during the preceding year.

23 (2) The demographics of the adult learners enrolled in the charter school during the preceding year

24 (in a format requested by the state board).

25 (3) The graduation rates of the adult learners enrolled in the charter school during the preceding

26 year.

27 (4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2)

28 years after graduation. A charter school must include information concerning students' job placement

29 outcomes, information concerning students' matriculation into higher education, and any other

30 information concerning outcomes required by the state board.

31 (g) This section expires June 30, ~~2021~~, **2023**.

32 SECTION 102. IC 20-24-13-6, AS AMENDED BY P.L.108-2019, SECTION 211, IS AMENDED TO

33 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. The annual grant amount for a school for

34 a state fiscal year is **the following:**

35 (1) **For the state fiscal year beginning July 1, 2021:**

36 (A) ~~seven hundred fifty dollars (\$750);~~ **one thousand dollars (\$1,000);** multiplied by

37 ~~(2) (B) the number of eligible pupils who are counted in the current ADM of the school.~~

38 (2) **For the state fiscal year beginning July 1, 2022, and each state fiscal year thereafter:**

39 (A) **one thousand two hundred fifty dollars (\$1,250);** multiplied by

40 (B) **the number of eligible pupils who are counted in the current ADM of the school.**

41 SECTION 103. IC 20-25.7-5-2, AS AMENDED BY P.L.156-2020, SECTION 75, IS AMENDED TO

42 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 2. (a) The board may enter into an agreement

43 with an organizer to reconstitute an eligible school as a participating innovation network charter school

44 or to establish a participating innovation network charter school at a location selected by the board within

45 the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network

46 charter school may be established within a vacant school building.

47 (b) The terms of the agreement entered into between the board and an organizer must specify the



1 following:

2 (1) A statement that the organizer authorizes the department to include the charter school's  
3 performance assessment results under IC 20-31-8 when calculating the school corporation's  
4 performance assessment under rules adopted by the state board.

5 (2) The amount of state funding, including tuition support (if the participating innovation network  
6 charter school is treated in the same manner as a school operated by the school corporation under  
7 subsection (d)(2)), and money levied as property taxes that will be distributed by the school  
8 corporation to the organizer.

9 (3) The performance goals and accountability metrics agreed upon for the charter school in the  
10 charter agreement between the organizer and the authorizer.

11 (c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the  
12 board shall notify the department that the agreement has been made under this section within thirty (30)  
13 days after the agreement is entered into.

14 (d) Upon receipt of the notification under subsection (c), for school years starting after the date of the  
15 agreement:

16 (1) the department shall include the participating innovation network charter school's performance  
17 assessment results under IC 20-31-8 when calculating the school corporation's performance  
18 assessment under rules adopted by the state board;

19 (2) the department shall treat the participating innovation network charter school in the same manner  
20 as a school operated by the school corporation when calculating the total amount of state funding  
21 to be distributed to the school corporation unless subsection (e) applies; and

22 (3) if requested by a participating innovation network charter school that reconstitutes an eligible  
23 school, the department may use student growth as the state board's exclusive means to determine the  
24 innovation network charter school's category or designation of school improvement under 511  
25 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the  
26 department may not use student growth as the state board's exclusive means to determine an  
27 innovation network charter school's category or designation of school improvement. This subdivision  
28 expires July 1, 2023.

29 (e) If a participating innovation network school was established before January 1, 2016, and for the  
30 current school year has a complexity index that is greater than the complexity index for the school  
31 corporation that the innovation network school has contracted with, the innovation network school shall  
32 be treated as a charter school for purposes of determining tuition support. This subsection expires June  
33 30, ~~2021~~, 2023.

34 SECTION 104. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 40. (a) Not later than April 15 each year,**  
36 **each school corporation and charter school shall report to the department the number of students**  
37 **who met the following conditions in the preceding school year:**

38 (1) **The student was enrolled in the school corporation on the day in September fixed by the**  
39 **state board for the fall count of students under IC 20-43-4-3.**

40 (2) **The student successfully completed Indiana high school graduation requirements during**  
41 **the student's expected graduation year (as defined in IC 20-26-13-4) before the day in**  
42 **February fixed by the state board for the spring count of students under IC 20-43-4-3.**

43 (3) **The student was not enrolled in the school corporation on the day in February fixed by the**  
44 **state board for the spring count of students under IC 20-43-4-3.**

45 (b) **In addition to the number provided under subsection (a), each school corporation and charter**  
46 **school shall submit information prescribed by the department that is necessary to verify the**  
47 **number reported under subsection (a).**



1 SECTION 105. IC 20-36-3-4, AS ADDED BY P.L.1-2005, SECTION 20, IS AMENDED TO READ  
2 AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The advanced placement program is established  
3 to encourage students to pursue advanced courses, particularly in math and science. The program shall  
4 be administered by the department.

5 (b) ~~Unexpended money appropriated to the department to implement the program at the end of a state~~  
6 ~~fiscal year does not revert to the state general fund:~~

7 SECTION 106. IC 20-43-1-1, AS AMENDED BY P.L.108-2019, SECTION 214, IS AMENDED TO  
8 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 1. This article expires June 30, ~~2021~~: **2023**.

9 SECTION 107. IC 20-43-1-15.5 IS REPEALED [EFFECTIVE JUNE 29, 2021]. ~~Sec. 15.5: This section~~  
10 ~~applies after June 30, 2018. "Less than moderate value program" means a career and technical education~~  
11 ~~program that the department of workforce development recognizes as:~~

12 (1) ~~having a low employment demand and a low average wage level;~~

13 (2) ~~having a moderate employment demand and a low average wage level; or~~

14 (3) ~~having a low employment demand and a moderate average wage level.~~

15 SECTION 108. IC 20-43-2-1, AS AMENDED BY P.L.205-2013, SECTION 268, IS AMENDED TO  
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **Except as provided in IC 20-51.4-4-2**, the  
17 department shall distribute the amount appropriated by the general assembly for distribution as state  
18 tuition support in accordance with this article. If the appropriations for distribution as state tuition support  
19 are more than required under this article, any excess shall revert to the state general fund. The  
20 appropriations for state tuition support shall be made each state fiscal year under a schedule set by the  
21 budget agency and approved by the governor. However, the schedule must provide:

22 (1) for at least twelve (12) payments;

23 (2) that one (1) payment shall be made at least every forty (40) days; and

24 (3) the total of the payments in each state fiscal year must equal the amount required under this  
25 article.

26 SECTION 109. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO  
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. In determining the total amount to be  
28 distributed for purposes of section 2 of this chapter, distributions:

29 (1) as basic tuition support;

30 (2) for honors designation awards;

31 (3) for special education grants;

32 (4) for career and technical education grants;

33 (5) for choice scholarships; ~~and~~

34 (6) for Mitch Daniels early graduation scholarships; **and**

35 (7) **for Indiana education scholarship account grants;**

36 are to be considered for a particular state fiscal year.

37 SECTION 110. IC 20-43-3-8, AS AMENDED BY P.L.108-2019, SECTION 221, IS AMENDED TO  
38 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 8. A school corporation's foundation amount  
39 is the following:

40 (1) ~~Five thousand five hundred forty-eight dollars (\$5,548) for the state fiscal year beginning July~~  
41 ~~1, 2019.~~

42 (2) ~~Five thousand seven hundred three dollars (\$5,703) for the state fiscal year beginning July 1,~~  
43 ~~2020.~~

44 (1) **Five thousand seven hundred seventy-one dollars (\$5,771) for the state fiscal year**  
45 **beginning July 1, 2021.**

46 (2) **Five thousand nine hundred thirteen dollars (\$5,913) for the state fiscal year beginning July**  
47 **1, 2022.**



1 SECTION 111. IC 20-43-4-2, AS AMENDED BY P.L.217-2017, SECTION 121, IS AMENDED TO  
2 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A school corporation's ADM is the  
3 number of eligible pupils enrolled in:

4 (1) the school corporation; or

5 (2) a transferee corporation;

6 on the day fixed in September by the state board for a count of students under section 3 of this chapter  
7 and as subsequently adjusted not later than the date specified under the rules adopted by the state board.

8 The state board may adjust the school's count of eligible pupils if the state board determines that the count  
9 is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition  
10 the state board to make an adjusted count of students enrolled in the school corporation if the corporation  
11 has reason to believe that the count is unrepresentative of the school corporation's enrollment. In addition,  
12 a school corporation shall determine the number of eligible pupils enrolled in:

13 (1) the school corporation; or

14 (2) a transferee corporation;

15 on the day fixed in February by the state board for a spring count of students ~~to be used only for~~  
16 ~~informational purposes under this article. under section 3 of this chapter and as subsequently adjusted~~  
17 **under this chapter or under rules adopted by the state board. The department shall adjust a school**  
18 **corporation's February count of students as provided in section 3.5 of this chapter. Except as**  
19 ~~specifically provided by law, the spring count shall not be used for determining school funding under this~~  
20 ~~article.~~

21 (b) Each school corporation shall, before April 1 of each year, provide to the department an estimate  
22 of the school corporation's ADM that will result from the count of eligible pupils in the following  
23 September. The department may update and adjust the estimate as determined appropriate by the  
24 department. In each odd-numbered year, the department shall provide the updated and adjusted estimate  
25 of the school corporation's ADM to the legislative services agency before April 10 of that year.

26 (c) A new charter school shall submit an enrollment estimate to the department before April 1 of the  
27 year the new charter school will be open for enrollment. The department shall use the new charter school's  
28 enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual  
29 ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment  
30 estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the  
31 department may use that enrollment estimate if the department has requested and reviewed other  
32 enrollment data that support that enrollment estimate. However, if the enrollment data requested and  
33 reviewed by the department does not support the enrollment estimate submitted by the new charter school,  
34 the department shall determine the estimated ADM based on the enrollment data requested and reviewed  
35 by the department. In each odd-numbered year, the department shall provide the new charter school's  
36 estimated ADM to the legislative services agency before April 10 of that year.

37 SECTION 112. IC 20-43-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
38 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.5. (a) Beginning with the February count**  
39 **of students made in 2022, the department shall adjust the February count of a school corporation's**  
40 **ADM (as otherwise adjusted under this chapter) by adding to each count the number of students**  
41 **who met the following conditions in the preceding school year:**

42 (1) The student was enrolled in the school corporation on the day in September fixed by the  
43 state board for the fall count of students under section 3 of this chapter.

44 (2) The student successfully completed Indiana high school graduation requirements during  
45 the student's expected graduation year (as defined in IC 20-26-13-4) before the day in  
46 February fixed by the state board for the spring count of students under section 3 of this  
47 chapter.



1           **(3) The student was not enrolled in the school corporation on the day in February fixed by the**  
2           **state board for the spring count of students under section 3 of this chapter.**

3           **(b) If a February count of students is adjusted retroactively under this section, the adjusted**  
4           **count retroactively applies to the amount of state tuition support distributed to a school corporation**  
5           **affected by the adjusted count, as provided in section 9 of this chapter.**

6           SECTION 113. IC 20-43-4-9, AS AMENDED BY P.L.108-2019, SECTION 224, IS AMENDED TO  
7           READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) Subject to subsections (b) and (c), this  
8           subsection applies to the calculation of state tuition support distributions that are based on the current  
9           ADM of a school corporation. The fall count of ADM, as adjusted by the state board under section 2 of  
10          this chapter, shall be used to compute state tuition support distributions made in the first six (6) months  
11          of the current state fiscal year. ~~and~~ The spring count of ADM, as adjusted by:

12          **(1) the state board under section 2 of this chapter; and**

13          **(2) the department under section 3.5 of this chapter;**

14          shall be used to compute state tuition support distributions made in the second six (6) months of the state  
15          fiscal year.

16          (b) This subsection applies to a school corporation that does not provide the estimates required by  
17          section 2(b) of this chapter before the deadline. For monthly state tuition support distributions made  
18          before the count of ADM is finalized, the department shall determine the distribution amount for such a  
19          school corporation for a state fiscal year of the biennium, using data that were used by the general  
20          assembly in determining the state tuition support appropriation for the budget act for that state fiscal year.  
21          The department may adjust the data used under this subsection for errors.

22          (c) If the:

23          **(1) state board; or**

24          **(2) department, under section 3.5 of this chapter;**

25          adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively  
26          applies to the amount of state tuition support distributed to a school corporation affected by the adjusted  
27          count. The department shall settle any overpayment or underpayment of state tuition support resulting  
28          from an adjusted count of ADM on the schedule determined by the department and approved by the  
29          budget agency.

30          SECTION 114. IC 20-43-6-3, AS AMENDED BY P.L.108-2019, SECTION 225, IS AMENDED TO  
31          READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3. ~~(a)~~ A school corporation's basic tuition  
32          support for a state fiscal year is the amount determined under the applicable provision of this section.

33          **(b) This subsection applies to a school corporation that does not have any students in the school**  
34          **corporation's current ADM for the year for whom, of the instructional services that the students receive**  
35          **from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's**  
36          **basic tuition support for a state fiscal year is equal to the result using the following formula:**

37          STEP ONE: Multiply the foundation amount by the school corporation's current ADM.

38          STEP TWO: Multiply the school corporation's complexity index by

39                  **(A) for the state fiscal year beginning July 1, 2019, three thousand six hundred fifty dollars**  
40                  **(\$3,650); and**

41                  **(B) for the state fiscal year beginning July 1, 2020, three thousand six hundred seventy-five**  
42                  **dollars (\$3,675).**

43          STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

44          STEP FOUR: This STEP applies only to a school corporation that has at least eighteen percent  
45          (+18%) of its ADM eligible for the English language learners program and that experienced a  
46          percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index  
47          for the school year ending in 2017 compared to the school corporation's complexity index for the



1 current school year. For such a school corporation determine the result of:

2 (A) the school corporation's current ADM; multiplied by

3 (B) one hundred twenty-eight dollars (\$128).

4 STEP FIVE: ~~FOUR~~: Determine the result of:

5 (A) the STEP ONE amount; plus

6 (B) the STEP THREE amount; plus

7 (C) the STEP FOUR amount; if applicable.

8 (c) This subsection applies to a school corporation that has students in the school corporation's current  
9 ADM for the year for whom, of the instructional services that the students receive from the school  
10 corporation, at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition  
11 support for a state fiscal year is equal to the result using the following formula:

12 STEP ONE: Determine the total number of students in the school corporation's current ADM for the  
13 year for whom, of the instructional services that the students receive from the school corporation,  
14 at least fifty percent (50%) is virtual instruction:

15 STEP TWO: Determine the result of the school corporation's current ADM for the year minus the  
16 STEP ONE amount:

17 STEP THREE: Determine the result of:

18 (A) the foundation amount; multiplied by

19 (B) the STEP TWO amount:

20 STEP FOUR: Determine the result of:

21 (A) the STEP ONE amount; multiplied by

22 (B) eighty-five percent (85%) of the foundation amount:

23 STEP FIVE: Multiply the school corporation's complexity index by:

24 (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars  
25 (\$3,650); and

26 (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five  
27 dollars (\$3,675).

28 STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM:

29 STEP SEVEN: This STEP applies only to a school corporation that has at least eighteen percent  
30 (18%) of its ADM eligible for the English language learners program and that experienced a  
31 percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index  
32 for the school year ending in 2017 compared to the school corporation's complexity index for the  
33 current school year. For such a school corporation determine the result of:

34 (A) the school corporation's current ADM; multiplied by

35 (B) one hundred twenty-eight dollars (\$128):

36 STEP EIGHT: Determine the result of:

37 (A) the STEP THREE amount; plus

38 (B) the STEP FOUR amount; plus

39 (C) the STEP SIX amount; plus

40 (D) the STEP SEVEN amount; if applicable.

41 SECTION 115. IC 20-43-7-6, AS AMENDED BY P.L.108-2019, SECTION 226, IS AMENDED TO  
42 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 6. A school corporation's special education  
43 grant for a state fiscal year is equal to the sum of the following:

44 (1) The nonduplicated count of pupils in programs for severe disabilities **level one (1), including**  
45 **multiple disabilities, orthopedic impairment, emotional disability requiring full-time**  
46 **placement, severe intellectual disability, autism spectrum disorders, and traumatic brain**  
47 **injury**, multiplied by nine thousand one hundred fifty-six dollars (\$9,156).



1       **(2) The nonduplicated count of pupils in programs for severe disabilities level (2), including**  
2       **blind or low vision, deaf or hard of hearing, and deaf and blind, multiplied by nine thousand**  
3       **one hundred fifty-six dollars (\$9,156).**

4       ~~(2)~~ **(3) The nonduplicated count of pupils in programs of mild and moderate disabilities level one**  
5       **(1), including specific learning disability, developmental delay, and other health impairment,**  
6       multiplied by two thousand three hundred dollars (\$2,300).

7       **(4) The nonduplicated count of pupils in programs for mild and moderate disabilities level two**  
8       **(2), including emotional disability not requiring full-time placement, mild intellectual**  
9       **disability, and moderate intellectual disability, multiplied by two thousand three hundred**  
10       **dollars (\$2,300).**

11       ~~(3)~~ **(5) The duplicated count of pupils in programs for communication disorders multiplied by five**  
12       bundred dollars (\$500).

13       ~~(4)~~ **(6) The cumulative count of pupils in homebound programs multiplied by five hundred dollars**  
14       **(\$500).**

15       ~~(5)~~ **(7) The nonduplicated count of pupils in special preschool education programs multiplied by the**  
16       **following:**

17           **(A) Two thousand eight hundred seventy-five dollars (\$2,875) for the state fiscal year beginning**  
18           **July 1, 2019.**

19           **(B) Three thousand dollars (\$3,000) for the state fiscal year beginning July 1, 2020: three**  
20           **thousand dollars (\$3,000).**

21       SECTION 116. IC 20-43-8-7.5, AS AMENDED BY P.L.108-2019, SECTION 227, IS AMENDED  
22       TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 7.5. (a) The department of workforce  
23       development shall designate each career and technical education program as:

24           (1) an apprenticeship program;

25           (2) a cooperative education program;

26           (3) a work based learning program;

27           (4) a high value program;

28           (5) a moderate value program;

29           ~~(6) a less than moderate value program;~~

30           ~~(7)~~ **(6) an introductory program; or**

31           ~~(8)~~ **(7) a foundational career and technical education course.**

32       The designation of career and technical education programs by the department of workforce development  
33       under this section must be reviewed and approved by the state board as provided in this section.

34       (b) Not later than December 1, 2019, and each December 1 thereafter, the department of workforce  
35       development shall designate each career and technical education program as:

36           (1) an apprenticeship program;

37           (2) a work based learning program;

38           (3) a high value level 1 program;

39           (4) a high value level 2 program;

40           (5) a moderate value level 1 program;

41           (6) a moderate value level 2 program;

42           ~~(7) a less than moderate value level 1 program;~~

43           ~~(8) a less than moderate value level 2 program;~~

44           ~~(9)~~ **(7) a planning for college and career course; or**

45           ~~(10)~~ **(8) an introductory program.**

46       The designation of career and technical education programs by the department of workforce development  
47       under this section must be reviewed and approved by the state board as provided in this section.



1 (c) If a new career and technical education program is created by rule, the department of workforce  
2 development shall determine the category in which the program is designated under subsection (a) or (b).  
3 A career and technical education program must be approved by the department of workforce development  
4 in order for a school corporation to be eligible to receive a grant amount for the career and technical  
5 education program under section 15 of this chapter.

6 (d) Not later than December 1 of each year, the department of workforce development shall provide  
7 a report to the state board that includes the following information:

8 (1) A list of the career and technical education courses for the next school year that are designated  
9 by the department of workforce development under this section.

10 (2) The labor market demand used to designate each career and technical education program under  
11 this section.

12 (3) The average wage level used to designate each career and technical education program under  
13 this section.

14 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,  
15 and municipalities.

16 (5) Any other information pertinent to the methodology used by the department of workforce  
17 development to designate each career and technical education program under this section.

18 (e) Not later than January 1 of each year, the state board shall review and approve the report provided  
19 by the department of workforce development under subsection (d) at a public meeting to ensure that the  
20 list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later  
21 than January 1 of each year, the state board shall send its determination to the department of workforce  
22 development. Upon receipt of the state board's determination, the department of workforce development  
23 shall provide the approved report to the department.

24 (f) The department of workforce development shall publish the approved report under subsection (e)  
25 on the department of workforce development's Internet web site, including the following:

26 (1) The list of career and technical education programs that are designated by the department of  
27 workforce development under this section.

28 (2) The labor market demand used to designate each career and technical education program under  
29 this section.

30 (3) The average wage level used to designate each career and technical education program under  
31 this section.

32 (4) If applicable, the labor market demand and average wage level data for specific regions, counties,  
33 and municipalities.

34 (5) Any other information pertinent to the methodology used by the department of workforce  
35 development to designate each career and technical education program under this section.

36 In addition, the department shall notify all school corporations of the state board's approval of the report  
37 under subsection (e) and provide a link within the notice to the approved report published on the  
38 department of workforce development's Internet web site under this subsection.

39 SECTION 117. IC 20-43-8-15, AS AMENDED BY P.L.154-2020, SECTION 42, IS AMENDED TO  
40 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 15. ~~(a) This subsection applies to the state~~  
41 ~~fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant~~  
42 ~~for a state fiscal year is the sum of the amounts determined under the following STEPS:~~

43 ~~STEP ONE: Determine for each career and technical education program provided by the school~~  
44 ~~corporation:~~

45 ~~(A) the number of credit hours of the program (one (1) credit; two (2) credits; or three (3)~~  
46 ~~credits); multiplied by~~

47 ~~(B) the number of pupils enrolled in the program; multiplied by~~





1           (c) the following applicable amount:

2           (i) Six hundred eighty dollars (\$680) for a career and technical education program designated  
3           by the department of workforce development as a high value program under section 7.5 of this  
4           chapter:

5           (ii) Four hundred dollars (\$400) for a career and technical education program designated by  
6           the department of workforce development as a moderate value program under section 7.5 of  
7           this chapter:

8           (iii) Two hundred dollars (\$200) for a career and technical education program designated by  
9           the department of workforce development as a less than moderate value program under section  
10          7.5 of this chapter:

11       STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative  
12       education program, a foundational career and technical education course, or a work based learning  
13       course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150):

14       STEP THREE: Determine the number of pupils enrolled in an introductory program designated  
15       under section 7.5 of this chapter multiplied by three hundred dollars (\$300):

16       STEP FOUR: Determine the number of pupils who travel from the school in which they are currently  
17       enrolled to another school to participate in a career and technical education program in which pupils  
18       from multiple schools are served at a common location multiplied by one hundred fifty dollars  
19       (\$150):

20       (b) This subsection applies to state fiscal years beginning after June 30, 2020: 2021. A school  
21       corporation's career and technical education enrollment grant for a state fiscal year is the sum of the  
22       amounts determined under the following STEPS:

23       STEP ONE: Determine for each career and technical education program provided by the school  
24       corporation:

25       (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3)  
26       credits); multiplied by

27       (B) the number of pupils enrolled in the program; multiplied by

28       (C) the following applicable amount:

29       (i) ~~Six hundred eighty dollars (\$680)~~ **Seven hundred ten dollars (\$710)** for a career and  
30       technical education program designated by the department of workforce development as a high  
31       value level 1 program under section 7.5 of this chapter.

32       (ii) ~~One thousand twenty dollars (\$1,020)~~ **One thousand one hundred fifty dollars (\$1,150)**  
33       for a career and technical education program designated by the department of workforce  
34       development as a high value level 2 program under section 7.5 of this chapter.

35       (iii) Four hundred dollars (\$400) for a career and technical education program designated by  
36       the department of workforce development as a moderate value level 1 program under section  
37       7.5 of this chapter.

38       (iv) Six hundred dollars (\$600) for a career and technical education program designated by the  
39       department of workforce development as a moderate value level 2 program under section 7.5  
40       of this chapter.

41       (v) ~~Two hundred dollars (\$200)~~ for a career and technical education program designated by the  
42       department of workforce development as a less than moderate value level 1 program under  
43       section 7.5 of this chapter:

44       (vi) Three hundred dollars (\$300) for a career and technical education program designated by  
45       the department of workforce development as a less than moderate value level 2 program under  
46       section 7.5 of this chapter:

47       STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based



1 learning program designated under section 7.5 of this chapter multiplied by five hundred dollars  
2 (\$500).

3 STEP THREE: Determine the number of pupils enrolled in an introductory program designated  
4 under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

5 STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course  
6 under section 7.5 of this chapter at the school corporation that is approved by the department of  
7 workforce development multiplied by one hundred fifty dollars (\$150).

8 STEP FIVE: Determine the number of pupils who travel from the school in which they are currently  
9 enrolled to another school to participate in a career and technical education program in which pupils  
10 from multiple schools are served at a common location multiplied by one hundred fifty dollars  
11 (\$150).

12 SECTION 118. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED  
13 TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3.5. (a) As used in this section, "school"  
14 means a school corporation, charter school, and a virtual charter school.

15 (b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as  
16 provided in this section for a state fiscal year if one (1) or more licensed teachers:

17 (1) employed in the classroom by the school; or

18 (2) directly providing virtual education;

19 were rated as effective or as highly effective, using the most recently completed teacher ratings.

20 (c) A school may not receive a teacher appreciation grant under this section unless:

21 (1) the school has in the state fiscal year in which the teacher appreciation grants are made under  
22 this section:

23 (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and

24 (B) submitted the policy to the department for approval; and

25 (2) the department has approved the policy.

26 The department shall specify the date by which a policy described in subdivision (1) must be submitted  
27 to the department.

28 (d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter  
29 school is equal to:

30 (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by

31 (2) the school's current ADM.

32 However, the grant amount for a virtual charter school may not exceed the statewide average grant  
33 amount.

34 (e) The following apply to the distribution of teacher appreciation grants:

35 (1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year  
36 exceeds the amount appropriated by the general assembly for teacher appreciation grants for that  
37 state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be  
38 proportionately reduced so that the total reduction equals the amount of the excess. The amount of  
39 the reduction for a particular school is equal to the total amount of the excess multiplied by a  
40 fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school  
41 would have received if a reduction were not made under this section. The denominator of the  
42 fraction is the total amount that would be distributed as teacher appreciation grants to all schools if  
43 a reduction were not made under this section.

44 (2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year  
45 is less than the amount appropriated by the general assembly for teacher appreciation grants for that  
46 state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that  
47 particular state fiscal year shall be proportionately increased so that the total amount to be



1 distributed equals the amount of the appropriation for that particular state fiscal year.

2 (f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be  
3 distributed to the school before December 5 of that state fiscal year.

4 (g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher  
5 appreciation grants:

6 (1) The governing body shall differentiate between a teacher rated as a highly effective teacher and  
7 a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded  
8 to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than  
9 the amount of a stipend awarded to a teacher rated as an effective teacher.

10 (2) The governing body of a school may differentiate between school buildings.

11 (3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but  
12 is discussable, and is in addition to the minimum salary or increases in salary set under  
13 IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%)  
14 of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a  
15 permanent part of and increases the base salary of the teacher receiving the stipend for school years  
16 beginning after the state fiscal year in which the stipend is received. The addition to base salary is  
17 not subject to collective bargaining, but is discussable.

18 (h) A teacher appreciation grant received by a school shall be allocated among and used only to pay  
19 cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly  
20 effective and employed by the school as of December 1. A school may allocate up to twenty percent  
21 (20%) of the grant received by the school to provide a supplemental award to teachers with less than five  
22 (5) years of service who are rated as effective or as highly effective. The supplemental award is in  
23 addition to the award made from the part of the grant that is allocated to all eligible teachers.

24 (i) The lead school corporation or interlocal cooperative administering a cooperative or other special  
25 education program or administering a career and technical education program, including programs  
26 managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant  
27 stipends to and carry out the other responsibilities of an employing school corporation under this section  
28 for the teachers in the special education program or career and technical education program.

29 (j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within  
30 twenty (20) business days of the date the department distributes the teacher appreciation grant to the  
31 school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February  
32 must be returned to the department on the earlier of the date set by the department or June 30 of that state  
33 fiscal year.

34 (k) The department, after review by the budget committee, may waive the December 5 deadline under  
35 subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that  
36 state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if  
37 the department determines that a waiver and extension of the deadline are in the public interest.

38 (l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided  
39 in IC 4-22-2-37.1, as necessary to implement this section.

40 (m) This section expires June 30, ~~2021~~. **2023**.

41 SECTION 119. IC 20-43-13-4, AS AMENDED BY P.L. 108-2019, SECTION 233, IS AMENDED TO  
42 READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 4. (a) Except as provided in subsection (c),  
43 the complexity index is the percentage of the school corporation's students who were receiving  
44 Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families  
45 (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

46 (1) ~~2019~~; **2021**; or

47 (2) the first year of operation of the school corporation.



1 (b) For a conversion charter school, the percentage determined under this section is the percentage of  
2 the sponsor school corporation.

3 (c) If a school corporation's complexity index is less than the school corporation's complexity index  
4 for the preceding state fiscal year, the school corporation's complexity index for the state fiscal year is the  
5 greater of:

6 (1) the school corporation's complexity index for the state fiscal year; or

7 (2) the school corporation's complexity index for the preceding state fiscal year minus twenty-five  
8 thousandths (0.025).

9 (c) For the state fiscal year beginning July 1, 2021, if a school corporation's complexity index is:

10 (1) greater than:

11 (A) the school corporation's complexity index for the preceding state fiscal year; plus

12 (B) twenty-five thousandths (0.025);

13 the school corporation's complexity index for the state fiscal year is equal to the school  
14 corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths  
15 (0.025); or

16 (2) less than:

17 (A) the school corporation's complexity index for the preceding state fiscal year; minus

18 (B) twenty-five thousandths (0.025);

19 the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is  
20 equal to the school corporation's complexity index for the preceding state fiscal year minus  
21 twenty-five thousandths (0.025).

22 (d) For the state fiscal year beginning July 1, 2022, if a school corporation's complexity index is:

23 (1) greater than:

24 (A) the school corporation's complexity index for the preceding state fiscal year; plus

25 (B) twenty-five thousandths (0.025);

26 the school corporation's complexity index for the state fiscal year is equal to the school  
27 corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths  
28 (0.025); or

29 (2) less than:

30 (A) the school corporation's complexity index for the preceding state fiscal year; minus

31 (B) twenty-five thousandths (0.025);

32 the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is  
33 equal to the school corporation's complexity index for the preceding state fiscal year minus  
34 twenty-five thousandths (0.025).

35 (d) (e) For a participating innovation network charter school, the percentage determined under this  
36 section is the greater of the percentage for the:

37 (1) participating innovation network charter school; or

38 (2) school corporation with which the participating innovation network charter school has  
39 contracted.

40 SECTION 120. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO  
41 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4.3. "Eligible choice scholarship student"  
42 refers to an individual who:

43 (1) has legal settlement in Indiana;

44 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the  
45 school year specified in IC 20-33-2-7; and

46 (3) is a member of a household with an annual income of not more than:

47 (A) for a school year beginning after June 30, 2021, and before July 1, 2022, two hundred



1 **twenty-five percent (225%) of the amount required for the individual to qualify for the**  
2 **federal free or reduced price lunch program; or**  
3 **(B) for a school year beginning after June 30, 2022, three hundred percent (300%) of the**  
4 **amount required for the individual to qualify for the federal free or reduced price lunch**  
5 **program; and**

6 ~~(3)~~ **(4) meets at least one (1) of the following conditions:**

7 (A) The individual is

8 (i) a student with a disability who requires special education and for whom an individualized  
9 education program has been developed under IC 20-35 or a service plan developed under 511  
10 IAC 7-34. ~~and~~

11 (ii) a member of a household with an annual income of not more than two hundred percent  
12 ~~(200%) of the amount required for the individual to qualify for the federal free or reduced price~~  
13 ~~lunch program.~~

14 (B) The individual is

15 (i) an individual who, because of the school corporation's residency requirement, would be  
16 required to attend a specific public school within a school corporation that has been placed in  
17 the lowest category or designation of school improvement under IC 20-31-8-4 (has been  
18 assigned an "F" grade). ~~and~~

19 (ii) ~~except as provided in IC 20-51-4-2.5, is a member of a household with an annual income~~  
20 ~~of not more than one hundred fifty percent (150%) of the amount required for the individual~~  
21 ~~to qualify for the federal free or reduced price lunch program.~~

22 An individual to whom this clause applies is not required to attend the public school before  
23 becoming eligible for a choice scholarship, and may not be required to return to the public school  
24 if the public school is placed in a higher category or designation under IC 20-31-8-4.

25 (C) ~~Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an~~  
26 ~~annual income of not more than one hundred fifty percent (150%) of the amount required for the~~  
27 ~~individual to qualify for the federal free or reduced price lunch program and~~ The individual was  
28 enrolled in kindergarten through grade 12, in a public school, including a charter school, in  
29 Indiana for at least two (2) semesters immediately preceding the first semester for which the  
30 individual receives a choice scholarship under IC 20-51-4.

31 (D) The individual or a sibling of the individual ~~who, except as provided in IC 20-51-4-2.5, is~~  
32 ~~a member of a household with an annual income of not more than one hundred fifty percent~~  
33 ~~(150%) of the amount required for the individual to qualify for the federal free or reduced price~~  
34 ~~lunch program and~~ satisfies either of the following:

35 (i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from  
36 a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4  
37 in a preceding school year, including a school year that does not immediately precede a school  
38 year in which the individual receives a scholarship from a scholarship granting organization  
39 under IC 20-51-3 or a choice scholarship under IC 20-51-4.

40 (ii) The individual or a sibling of the individual receives for the first time after June 30, 2013,  
41 a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization  
42 under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year,  
43 including a school year that does not immediately precede a school year in which the individual  
44 receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice  
45 scholarship under IC 20-51-4.

46 (E) Subject to IC 20-51-4-2.7, the individual:

47 (i) received an early education grant under IC 12-17.2-7.2;



1 (ii) used the grant described in item (i) to attend a prekindergarten program at an eligible  
2 school; and  
3 (iii) continues to meet the income eligibility requirements the individual was required to meet  
4 to receive an early education grant under IC 12-17-2-7.2; and  
5 (iv) (iii) continues to attend the eligible school at which the individual attended a  
6 prekindergarten program as described in item (ii).

7 **(F) The individual is in foster care.**

8 SECTION 121. IC 20-51-1-5, AS AMENDED BY P.L.211-2013, SECTION 7, IS AMENDED TO  
9 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. "Eligible student" refers to an individual  
10 who:

- 11 (1) has legal settlement in Indiana;  
12 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the  
13 school year specified in IC 20-33-2-7;  
14 (3) either has been or is currently enrolled in a participating school; and  
15 (4) is a member of a household with:

16 **(A) for taxable years ending before January 1, 2022**, an annual income of not more than two  
17 hundred percent (200%) of the amount required for the individual to qualify for the federal free  
18 or reduced price lunch program;

19 **(B) for the taxable year beginning after December 31, 2021, and ending before January 1,**  
20 **2023, an annual income of not more than two hundred twenty-five percent (225%) of the**  
21 **amount required for the individual to qualify for the federal free or reduced price lunch**  
22 **program; and**

23 **(C) for taxable years beginning after December 31, 2022, an annual income of not more**  
24 **than three hundred percent (300%) of the amount required for the individual to qualify for**  
25 **the federal free or reduced price lunch program.**

26 SECTION 122. IC 20-51-1-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. "Parent", for purposes of IC 20-51-4,  
28 **includes the foster parent of an eligible choice scholarship student.**

29 SECTION 123. IC 20-51-4-2, AS AMENDED BY P.L.211-2013, SECTION 9, IS AMENDED TO  
30 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) ~~Subject to subsection (b)~~; **Except as**  
31 **provided in subsection (b)**, an eligible choice scholarship student is entitled to a choice scholarship  
32 under this chapter for each school year ~~beginning after June 30, 2011~~, that the eligible choice scholarship  
33 student enrolls in an eligible school.

34 ~~(b) The department may not award more than:~~

35 ~~(1) seven thousand five hundred (7,500) choice scholarships for the school year beginning July 1,~~  
36 ~~2011, and ending June 30, 2012; and~~

37 ~~(2) fifteen thousand (15,000) choice scholarships for the school year beginning July 1, 2012, and~~  
38 ~~ending June 30, 2013.~~

39 The department shall establish the standards used to allocate choice scholarships among eligible choice  
40 scholarship students.

41 **(b) An eligible choice scholarship student is not entitled to a choice scholarship under this**  
42 **chapter for a particular year if the eligible choice scholarship student receives an annual grant**  
43 **amount under IC 20-51.4-4-2 under the Indiana education scholarship account program for the**  
44 **same school year.**

45 SECTION 124. IC 20-51-4-2.5 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 2.5.  
46 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  
47 who initially meets the income requirements under IC 20-51-1-4.3(3)(B); IC 20-51-1-4.3(3)(C); or



1 IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is  
2 considered to meet the income requirements for as long as the individual is enrolled in an eligible school  
3 and is a member of a household with an annual income of not more than two hundred percent (200%) of  
4 the amount required for the individual to qualify for the federal free or reduced price lunch program.

5 SECTION 125. IC 20-51-4-2.7, AS ADDED BY P.L.184-2017, SECTION 35, IS AMENDED TO  
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.7. An eligible choice scholarship student  
7 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  
8 the eligible choice scholarship student under this chapter to attend an eligible school at which the  
9 individual used an early education grant under IC 12-17.2-7.2 to attend a prekindergarten program unless  
10 the eligible choice scholarship student otherwise qualifies for a choice scholarship under  
11 ~~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  
12 **IC 20-51-1-4.3(4)(F)** and this chapter.

13 SECTION 126. IC 20-51-4-4, AS AMENDED BY P.L.108-2019, SECTION 234, IS AMENDED TO  
14 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The amount an eligible choice  
15 scholarship student is entitled to receive under this chapter for a school year is equal to the following:

16 (1) The least of the following:

17 (A) The sum of the tuition or transfer tuition and fees required for enrollment or attendance of  
18 the eligible choice scholarship student at the eligible school selected by the eligible choice  
19 scholarship student for a school year that the eligible choice scholarship student (or the parent  
20 of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible  
21 school.

22 (B) An amount equal to

23 (i) ninety percent (90%) of the state tuition support amount determined under section 5 of this  
24 chapter. ~~if the eligible choice scholarship student is a member of a household with an annual~~  
25 ~~income of not more than the amount required for the eligible choice scholarship student to~~  
26 ~~qualify for the federal free or reduced price lunch program;~~

27 (ii) seventy percent (70%) of the state tuition support amount determined under section 5 of  
28 this chapter if the eligible choice scholarship student is a member of a household with an  
29 annual income of; in the case of an individual not described in section 2.5 of this chapter or  
30 item (i); not more than one hundred twenty-five percent (125%) of the amount required for the  
31 eligible choice scholarship student to qualify for the federal free or reduced price lunch  
32 program; and

33 (iii) fifty percent (50%) of the state tuition support amount determined under section 5 of this  
34 chapter if the eligible choice scholarship student is a member of a household with an annual  
35 income of; in the case of an individual not described in section 2.5 of this chapter or item (i)  
36 or (ii); not more than one hundred fifty percent (150%) of the amount required for the eligible  
37 choice scholarship student to qualify for the federal free or reduced price lunch program or; in  
38 the case of an individual described in section 2.5 of this chapter; not more than two hundred  
39 percent (200%) of the amount required for the eligible choice scholarship student to qualify  
40 for the federal free or reduced price lunch program.

41 (2) In addition to the amount described in subdivision (1), if the eligible choice scholarship  
42 student has been identified as eligible for special education services under IC 20-35 and the eligible  
43 school provides the necessary special education or related services to the eligible choice scholarship  
44 student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice  
45 scholarship student if the eligible choice scholarship student attended the school corporation.  
46 However, if an eligible choice scholarship student changes schools during the school year after the  
47 December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and



1 the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship  
2 amounts paid to the eligible choice scholarship student for the remainder of the school year after the  
3 eligible choice scholarship student enrolls in the different eligible school shall not include amounts  
4 that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student  
5 if the eligible choice scholarship student attended the school corporation.

6 (b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the  
7 eligible student applies for the choice scholarship under section 7(e) of this chapter shall be reduced on  
8 a prorated basis in the manner prescribed in section 6 of this chapter.

9 SECTION 127. IC 20-51-4-5, AS AMENDED BY P.L.106-2016, SECTION 20, IS AMENDED TO  
10 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The state tuition support amount to be used  
11 in section 4(a)(1)(B) of this chapter for an eligible choice scholarship student is the amount determined  
12 under the last STEP of the following formula:

13 STEP ONE: Determine the school corporation in which the eligible choice scholarship student has  
14 legal settlement.

15 STEP TWO: Determine the amount of state tuition support that the school corporation identified  
16 under STEP ONE is eligible to receive under IC 20-43 for the state fiscal year in which the current  
17 school year begins, ~~excluding~~ **including the basic tuition support amount made under IC 20-43-6**  
18 **and grants made under IC 20-43-10-2. However, the amount does not include** amounts provided  
19 for special education grants under IC 20-43-7 and career and technical education grants under  
20 IC 20-43-8.

21 STEP THREE: Determine the result of:

22 (A) the STEP TWO amount; divided by

23 (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under  
24 STEP ONE for the state fiscal year used in STEP TWO.

25 SECTION 128. IC 20-51-4-10, AS AMENDED BY P.L.106-2016, SECTION 23, IS AMENDED TO  
26 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The department shall distribute choice  
27 scholarships at least once each semester, or at equivalent intervals. The department may distribute the  
28 choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice  
29 scholarship student) for the purpose of paying the educational costs described in section ~~4(1)(A) of this~~  
30 ~~chapter (before July 1, 2017) or in section 4(a)(1)(A) of this chapter. (after June 30, 2017).~~ For the  
31 distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice  
32 scholarship student) and the eligible school providing educational services to the eligible choice  
33 scholarship student must annually sign a form, prescribed by the department to endorse distributions for  
34 the particular school year. If:

35 (1) an eligible choice scholarship student who is receiving a choice scholarship for a school year  
36 changes schools during the school year after signing the form to endorse distributions for that school  
37 year; and

38 (2) the eligible choice scholarship student enrolls in a different eligible school that has not signed  
39 the form to endorse distributions for that school year;

40 the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the  
41 eligible school must sign the form prescribed by the department to endorse distributions for the particular  
42 school year.

43 SECTION 129. IC 20-51.4 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ  
44 AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

45 **ARTICLE 51.4. INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM**

46 **Chapter 1. Applicability**

47 **Sec. 1. This article applies to a school year beginning after June 30, 2021, and each school year**





1 thereafter.

2 **Chapter 2. Definitions**

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

4 **Sec. 2. "Account" refers to an Indiana education scholarship account established by an eligible**  
5 **student's parent or an emancipated (as described in IC 20-26-11-4) eligible student under**  
6 **IC 20-51.4-4-1.**

7 **Sec. 3. "Annual grant amount" refers to the annual grant amount deposited into the eligible**  
8 **student's account under IC 20-51.4-4-2.**

9 **Sec. 4. "Approved postsecondary educational institution" has the meaning set forth in**  
10 **IC 21-7-13-6(a).**

11 **Sec. 5. "Council" refers to the Indiana education scholarship account program advisory council**  
12 **established under IC 20-51.4-3-7.**

13 **Sec. 6. "Eligible student" refers to an individual who:**

14 (1) has legal settlement in Indiana;

15 (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the  
16 school year specified in IC 20-33-2-7;

17 (3) is:

18 (A) a student with a disability at the time the account is established who requires special  
19 education and for whom:

20 (i) an individualized education program;

21 (ii) a service plan developed under 511 IAC 7-34; or

22 (iii) a choice special education plan developed under 511 IAC 7-49;

23 has been developed;

24 (B) a student with a parent who, at the time the account is established, is on active duty  
25 service in the armed forces of the United States or national guard; or

26 (C) placed in foster care or otherwise under care and supervision of the department of child  
27 services at the time the account is established and has received authorization from the  
28 department of child services to establish the account; and

29 (4) either:

30 (A) established an account; or

31 (B) had an account established on behalf of the individual;

32 that has not been frozen by the treasurer of state under IC 20-51.4-4-9.

33 **Sec. 7. "Parent" has the meaning set forth in IC 20-18-2-13 and includes for a student described**  
34 **in section 6(3)(C) of this chapter, a foster parent.**

35 **Sec. 8. "Participating entity" refers to an individual or entity authorized by the treasurer of state**  
36 **to participate in the program under IC 20-51.4-5-2.**

37 **Sec. 9. "Program" refers to the Indiana education scholarship account program established by**  
38 **IC 20-51.4-3-1.**

39 **Sec. 10. "Public school" refers to a school maintained by a school corporation or a charter**  
40 **school.**

41 **Sec. 11. "Qualified expenses" refers to the following expenses related to the education of an**  
42 **eligible student for which scholarship money in an account may be used:**

43 (1) Tuition and fees at a qualified school, public school, or other participating entity.

44 (2) Curricular materials required to be used by the eligible student at a qualified school, public  
45 school, or other participating entity.

46 (3) Payment for the purchase of curricular materials or any supplemental materials required  
47 to administer the curriculum.



- 1 (4) Fees for:
- 2 (A) national norm referenced or criterion referenced examinations;
- 3 (B) advanced placement examinations, Cambridge International courses, International
- 4 Baccalaureate courses, or College-Level Examination Program (CLEP) examinations;
- 5 (C) any examinations necessary for admission to an approved postsecondary educational
- 6 institution; or
- 7 (D) assessments associated with industry recognized credentials.
- 8 (5) Educational services for an eligible student who is a student with a disability, provided in
- 9 accordance with the eligible student's:
- 10 (A) individualized education program developed under IC 20-35 or service plan developed
- 11 under 511 IAC 7-34; or
- 12 (B) plan established in accordance with Section 504 of the Rehabilitation Act of 1973, 29
- 13 U.S.C. 794.
- 14 (6) Payments associated with the use of paraprofessional or educational aides.
- 15 (7) Tuition and fees at an approved postsecondary educational institution or vocational school.
- 16 (8) Curricular materials required for courses in which the eligible student is enrolled at an
- 17 approved postsecondary educational institution.
- 18 (9) Services contracted for and provided by a school corporation, charter school, or magnet
- 19 school, including:
- 20 (A) individual classes; or
- 21 (B) extracurricular activities or programs.
- 22 (10) Occupational therapy for a student with a disability, provided in accordance with the
- 23 eligible student's individualized education program developed under IC 20-35 or service plan
- 24 developed under 511 IAC 7-34.
- 25 (11) Additional services and therapies prescribed by the eligible student's treating physician
- 26 in accordance with generally accepted standards of care to improve outcomes for the student
- 27 in addition to any services currently being provided by the school, insurance, or the Medicaid
- 28 program.
- 29 (12) Tuition, fees, instructional material, and examination fees at a career or technical school.
- 30 (13) Computer hardware or other technological devices one (1) time every three (3) years if
- 31 used for an eligible student's educational needs and approved by the treasurer of state.
- 32 (14) Subject to IC 20-51.4-4-7, fees for transportation paid to a fee-for-service transportation
- 33 provider for the eligible student to travel to and from an approved service provider.
- 34 (15) Costs of up to two hundred dollars (\$200) associated with obtaining a school uniform.
- 35 (16) Tuition and fees to attend training programs and camps that have a focus on:
- 36 (A) vocational skills;
- 37 (B) academic skills;
- 38 (C) life skills;
- 39 (D) independence; or
- 40 (E) soft job skills that are character traits and interpersonal skills that characterize a
- 41 person's relationships with other people.
- 42 (17) Fees for the management of the account, as described in IC 20-51.4-3-2(c).
- 43 (18) An expense approved by the council under IC 20-51.4-3-6.
- 44 Sec. 12. "Qualified school" refers to a nonpublic school accredited by either the state board or
- 45 a national or regional accreditation agency that is recognized by the state board:
- 46 (1) to which an eligible student is required to pay tuition to attend;
- 47 (2) that agrees to enroll an eligible student; and



1 (3) that administers the statewide assessment or an assessment that is correlated to the  
2 statewide assessment under IC 20-51.4-3-9.

3 **Chapter 3. Administration of Indiana Education Scholarship Accounts**

4 **Sec. 1.** The Indiana education scholarship account program is established to provide grants to  
5 a parent of an eligible student or an emancipated student under IC 20-51.4-4 after June 30, 2022.

6 **Sec. 2. (a)** The program shall be administered by the treasurer of state in consultation with the  
7 state board and the department.

8 (b) The treasurer of state may contract with one (1) or more entities to maintain and manage  
9 accounts established under IC 20-51.4-4-1 after issuing a request for proposal under IC 5-22-9.

10 Each entity shall:

11 (1) meet qualification requirements established by the treasurer of state; and

12 (2) comply with generally accepted accounting principles.

13 (c) The treasurer of state shall establish reasonable fees for entities described in subsection (b)  
14 participating in the program based upon market rates.

15 **Sec. 3. (a)** The program is subject to annual audit by an independent public accounting firm  
16 retained by the treasurer of state.

17 (b) The treasurer of state shall promptly transmit copies of each annual audit to the governor  
18 and, in an electronic format under IC 5-14-6, the general assembly. Upon request, the treasurer of  
19 state shall make copies of the audit available to the public.

20 **Sec. 4. (a)** After June 30, 2022, the treasurer of state shall administer an annual survey of parents  
21 of eligible students and emancipated eligible students who maintain an account under  
22 IC 20-51.4-4-1. The survey must request information:

23 (1) regarding when the account was established and the number of grants received;

24 (2) relating to relative satisfaction with the program; and

25 (3) regarding opinions on any topics, items, or issues that the treasurer of state determines may  
26 improve the effectiveness of the program or the education experience of the eligible student  
27 or the eligible student's family.

28 (b) Not later than November 1, 2022, and each November 1 thereafter, the treasurer of state shall  
29 annually provide a summary of the survey administered under subsection (a) to the governor and,  
30 in an electronic format under IC 5-14-6, the legislative council.

31 **Sec. 5.** The treasurer of state shall provide online services and capabilities including, but not  
32 limited to, the following:

33 (1) A method for parents to submit an application agreement described in IC 20-51.4-4-1(a).

34 (2) A method for an eligible school and a participating entity to submit the intent of the eligible  
35 school or participating entity to participate in the program.

36 (3) A method for parents to identify and select eligible schools and participating entities  
37 participating in the program.

38 (4) A method for parents and participating entities to initiate and receive payments from an  
39 eligible student's account.

40 (5) A method for parents to rate the parent's experience with a participating entity and the  
41 ability for other parents of eligible students to see the rating.

42 (6) Methods that are intuitive and allow for contributions to be easily made to an eligible  
43 student's account.

44 (7) Resources the family of an eligible student described in IC 20-51.4-2-6(3)(A) or  
45 IC 20-51.4-2-6(3)(C) can access to learn about advocacy groups available to provide  
46 information and resources to the eligible student's family.

47 **Sec. 6.** Not later than July 1, 2023, the treasurer of state, in consultation with the state board and



1 the department, shall establish a procedure to allow a parent of an eligible student or an  
2 emancipated eligible student to petition the council for the approval of an expense not listed under  
3 IC 20-51.4-2-11(1) through IC 20-51.4-2-11(17).

4 Sec. 7. (a) The Indiana education scholarship account program advisory council is established  
5 to:

6 (1) provide guidance on the implementation of the program as well as to provide  
7 recommendations for program improvements to the treasurer of state and, in an electronic  
8 format under IC 5-14-6, to the general assembly; and

9 (2) review a summary of the surveys administered by the treasurer of state under section 4 of  
10 this chapter and make recommendations to the department or, in an electronic format under  
11 IC 5-14-6, to the general assembly, to improve the educational experience offered by the  
12 program.

13 (b) The council consists of the following members:

14 (1) A representative of the treasurer of state's office, appointed by the treasurer of state.

15 (2) A representative of the department, appointed by the secretary of education.

16 (3) A representative of the Indiana Council of Administrators of Special Education (ICASE),  
17 appointed by the secretary of education.

18 (4) One (1) member who is a representative of a statewide advocacy organization for  
19 individuals with intellectual and developmental disabilities, appointed by the treasurer of state.

20 (5) One (1) member who is a representative of an organization advocating for foster children,  
21 appointed by the treasurer of state.

22 (6) One (1) member who is a representative of an organization advocating for military  
23 families, appointed by the treasurer of state.

24 (7) One (1) member who must be the parent of an eligible student described in  
25 IC 20-51.4-2-6(3)(A), appointed by the president pro tempore of the senate.

26 (8) One (1) member who must be the parent of an eligible student described in  
27 IC 20-51.4-2-6(3)(B), appointed by the president pro tempore of the senate.

28 (9) One (1) member who must be the parent of an eligible student described in  
29 IC 20-51.4-2-6(3)(C), appointed by the president pro tempore of the senate.

30 (10) Two (2) members who are parents of an eligible student described in IC 20-51.4-2-6(3)(A),  
31 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  
32 representatives.

33 (11) One (1) member who is a representative of nonpublic schools appointed by the secretary  
34 of education.

35 (12) One (1) member who is an eligible student, appointed by the speaker of the house of  
36 representatives.

37 (c) The member described in subsection (b)(1) shall act as chairperson of the council. The council  
38 shall meet at the call of the chairperson. The treasurer of state shall provide staffing support for  
39 the council. A majority of the entire membership of the council shall constitute a quorum. No action  
40 of the council shall be valid unless approved by at least seven (7) members.

41 (d) The council shall make recommendations to the treasurer of state regarding the  
42 establishment of a program handbook.

43 Sec. 8. (a) The department shall provide services that offer objective advice upon request to  
44 parents of an eligible student or an emancipated eligible student relating to services that can help  
45 meet the eligible student's or emancipated eligible student's particular needs.

46 (b) The department may contract with a third party provider to provide the services described  
47 in subsection (a).



1       **Sec. 9. The department shall maintain a list of assessments that are correlated to the statewide**  
2 **assessment, and upon request from a school, perform an assessment correlation if the assessment**  
3 **correlation is feasible.**

4       **Chapter 4. Indiana Education Scholarship Accounts**

5       **Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student**  
6 **may establish an Indiana education scholarship account for the eligible student by entering into a**  
7 **written agreement with the treasurer of state on a form prepared by the treasurer of state. The**  
8 **treasurer of state shall establish a date by which an application to establish an account for the**  
9 **2022-2023 school year must be submitted. However, for a school year beginning after July 1, 2022,**  
10 **applications must be submitted for an eligible student not later than April 1 for the immediately**  
11 **following school year. The account of an eligible student shall be made in the name of the eligible**  
12 **student. The treasurer of state shall make the agreement available on the Internet web site of the**  
13 **treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student**  
14 **wishing to participate in the program must agree that:**

15       **(1) a grant deposited in the eligible student's account under section 2 of this chapter and any**  
16 **interest that may accrue in the account will be used only for the eligible student's qualified**  
17 **expenses;**

18       **(2) money in the account when the account is terminated reverts to the state tuition reserve**  
19 **account established by IC 4-12-1-15.7;**

20       **(3) the parent of the eligible student or the emancipated eligible student will use part of the**  
21 **money in the account:**

22       **(A) for the eligible student's study in the subject of reading, grammar, mathematics, social**  
23 **studies, or science; or**

24       **(B) for use in accordance with the eligible student's:**

25       **(i) individualized education program;**

26       **(ii) service plan developed under 511 IAC 7-34;**

27       **(iii) choice special education plan developed under 511 IAC 7-49; or**

28       **(iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.**  
29 **794; and**

30       **(4) the eligible student will not be enrolled in a school that receives tuition support under**  
31 **IC 20-43.**

32       **(b) A parent of an eligible student may enter into a separate agreement under subsection (a) for**  
33 **each child of the parent. However, not more than one (1) account may be established for each**  
34 **eligible student.**

35       **(c) The account must be established under subsection (a) by a parent of an eligible student or an**  
36 **emancipated eligible student for a school year on or before a date established by the treasurer of**  
37 **state, which must be at least thirty (30) days before the fall ADM count date established by the state**  
38 **board under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may**  
39 **not enter into an agreement under this section or maintain an account under this chapter if the**  
40 **eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible**  
41 **student may not receive a grant under section 3 of this chapter if the eligible student is currently**  
42 **included in a school corporation's ADM count under IC 20-43-4.**

43       **(d) Except as provided in subsections (e) and (f), an agreement made under this section is valid**  
44 **for one (1) school year while the eligible student is in kindergarten through grade 12 and may be**  
45 **renewed annually, and money in the account at the end of the school year remains in the account.**  
46 **Upon graduation or receipt of a certificate of completion under the eligible student's individualized**  
47 **education program, the parent of an eligible student or an emancipated eligible student shall**



1 annually renew the account and may elect to keep the account open until the money in the account  
2 is depleted or the account is terminated. However, money in the account may not be used for  
3 anything other than qualified expenses.

4 (e) An agreement entered into under this section terminates automatically for an eligible student  
5 if:

6 (1) the eligible student no longer resides in Indiana while the eligible student is eligible to  
7 receive grants under section 2 of this chapter; or

8 (2) the account is not renewed within three hundred ninety-five (395) days after the date the  
9 account was either established or last renewed.

10 If an account is terminated under this section, money in the eligible student's account, including any  
11 interest accrued, reverts to the state tuition reserve account.

12 (f) An agreement made under this section for an eligible student while the eligible student is in  
13 kindergarten through grade 12 may be terminated before the end of the school year if the parent  
14 of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner  
15 specified by the treasurer of state.

16 (g) A distribution made to an account under section 3 of this chapter is considered tax exempt  
17 as long as the distribution is used for a qualified expense. The amount is subtracted from the  
18 definition of adjusted income under IC 6-3-1-3.5 to the extent the distribution used for the qualified  
19 expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue  
20 Code.

21 (h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each  
22 eligible student. The treasurer of state shall provide the department information necessary for the  
23 department to comply with this subsection.

24 Sec. 2. (a) An eligible student who currently maintains an account is entitled to an annual grant  
25 amount for each school year until the student graduates or obtains a certificate of completion under  
26 the student's individualized education program. An eligible student may not receive a grant under  
27 this section after graduating or obtaining a certificate of completion. The annual grant amount shall  
28 be paid from the amount appropriated as state tuition support under IC 20-43-2-1. The treasurer  
29 of state, with notice to the department, shall deposit the annual grant amount under this section,  
30 in quarterly deposits, into an eligible student's account in a manner established by the treasurer of  
31 state. The treasurer of state may deduct an amount of not more than one and five-tenths percent  
32 (1.5%) from each quarterly distribution to accounts under this article to cover the costs of  
33 managing the accounts and administering the program. However, the amount deducted under this  
34 subsection may not exceed a maximum annual fee amount of two hundred fifty thousand dollars  
35 (\$250,000). The administrative fees collected under this subsection must be reduced proportionately  
36 in a manner necessary to comply with the maximum annual fee amount requirements.

37 (b) At the end of the year in which an account is established, the parent of an eligible student or  
38 the emancipated eligible student may roll over for use in a subsequent year a maximum of two  
39 thousand dollars (\$2,000). However, for each year thereafter, the parent of the eligible student or  
40 the emancipated student may roll over two thousand dollars (\$2,000) plus any amount rolled over  
41 in a previous year.

42 Sec. 3. (a) Subject to sections 4 and 11 of this chapter, the annual grant amount under section  
43 2 of this chapter for an eligible student equals, subject to subsection (b), ninety percent (90%) of  
44 the amount determined in the last STEP of the following formula:

45 STEP ONE: Determine the school corporation in which the eligible student has legal  
46 settlement.

47 STEP TWO: Determine the amount of state tuition support that the school corporation



1 identified under STEP ONE is eligible to receive under IC 20-43-6 for the state fiscal year in  
2 which the immediately preceding school year begins. The amount does not include amounts  
3 provided for special education grants under IC 20-43-7, career and technical education grants  
4 under IC 20-43-8, or grants under IC 20-43-10.

5 **STEP THREE: Determine the result of:**

6 (A) the STEP TWO amount; divided by

7 (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified  
8 under STEP ONE for the state fiscal year used in STEP TWO.

9 (b) An eligible student may choose to receive special education services from the school  
10 corporation required to provide the special education services to the eligible student under 511  
11 IAC 7-34-1. However, if an eligible student described in subsection (a) chooses not to receive special  
12 education or related services from a school corporation required to provide the services to the  
13 eligible student under 511 IAC 7-34-1, the annual grant amount for the eligible student shall, in  
14 addition to the amount described in subsection (a), include the amount the school corporation would  
15 receive under IC 20-43-7 for the eligible student if the eligible student attended the school  
16 corporation.

17 (c) The annual grant amounts provided in subsection (a) shall be rounded as provided in  
18 IC 20-43-3-1(4).

19 **Sec. 4.** If an eligible student's agreement under section 1 of this chapter is in effect for less than  
20 an entire school year, the annual grant amount provided under section 2 of this chapter for that  
21 school year shall be reduced on a prorated basis in a manner prescribed by the treasurer of state  
22 to reflect the length of the agreement. In the event an eligible student's account is terminated  
23 because the eligible student enrolls in a school that receives tuition support under IC 20-43, the  
24 balance in the account at the time the account is terminated shall be transferred to the school  
25 corporation or charter school in which the eligible student enrolls.

26 **Sec. 5.** Upon entering into or renewing an agreement under this chapter, the treasurer of state  
27 shall provide to the parent of an eligible student or an emancipated eligible student a written  
28 explanation of the authorized uses of the money in the account and the responsibilities of the parent  
29 of an eligible student or an emancipated eligible student and the treasurer of state regarding an  
30 account established under section 1 of this chapter.

31 **Sec. 6.** This chapter does not prohibit a parent of an eligible student or an emancipated eligible  
32 student from making a payment for any qualified expense from a source other than the eligible  
33 student's account. The parent of an eligible student or an emancipated eligible student is responsible  
34 for the payment of any tuition required by a qualified school that is not paid from the eligible  
35 student's account.

36 **Sec. 7.** A parent of an eligible student or an emancipated eligible student may use not more than  
37 seven hundred fifty dollars (\$750) of the annual grant amount received under this chapter each  
38 school year for fees for transportation paid to a fee-for-service transportation provider for the  
39 eligible student to travel to and from an approved service provider. However, the treasurer of state,  
40 in consultation with the department, shall establish criteria and a process by which a parent of an  
41 eligible student described in IC 20-51.4-2-6(3)(A) may receive a waiver from the limit imposed on  
42 transportation fees under this section.

43 **Sec. 8. (a)** A participating entity that receives a payment for a qualified expense may not:

- 44 (1) refund any part of the payment to the parent of the eligible student or the emancipated  
45 eligible student unless the refund is for an item that has been returned to the place of original  
46 purchase or is for an item or service that has not been provided by the participating entity; or  
47 (2) rebate or otherwise share any part of the payment with the parent of the eligible student



1 or the emancipated eligible student who made the payment.  
2 (b) A parent of an eligible student or an emancipated eligible student who receives a refund  
3 under subsection (a) shall deposit the refund into the account from which the money was paid.

4 Sec. 9. (a) The treasurer of state shall freeze the account established under section 1 of this  
5 chapter of any parent of an eligible student or an emancipated eligible student who:

- 6 (1) fails to comply with the terms of the agreement established under section 1 of this chapter;  
7 (2) fails to comply with applicable laws or regulations; or  
8 (3) substantially misuses funds in the account.

9 (b) The treasurer of state shall send written notice to the parent of the eligible student or the  
10 emancipated eligible student stating the reason for the freeze under subsection (a). The treasurer  
11 of state may also send notice to the attorney general or the prosecuting attorney in the county in  
12 which the parent of the eligible student or the emancipated eligible student resides if the treasurer  
13 of state believes a crime has been committed or a civil action relating to the account is necessary.

14 (c) A parent of an eligible student or an emancipated eligible student whose account has been  
15 frozen under subsection (a) may petition the treasurer of state for redetermination of the decision  
16 under subsection (a) within thirty (30) days after the date the treasurer of state sends notice to the  
17 parent of the eligible student or the emancipated eligible student under subsection (b). The petition  
18 must contain a written explanation stating why the treasurer of state was incorrect in freezing the  
19 account under subsection (a). If the treasurer of state does not receive a timely submitted petition  
20 from a parent of an eligible student or an emancipated eligible student under this subsection, the  
21 treasurer of state shall terminate the account.

22 (d) The treasurer of state shall review a petition received under subsection (c) within fifteen (15)  
23 business days of receipt of the petition and issue a redetermination letter to the parent of the eligible  
24 student or the emancipated eligible student. If the treasurer of state overturns the treasurer of  
25 state's initial decision under subsection (a), the treasurer of state shall immediately unfreeze the  
26 account. If the treasurer of state affirms the decision under subsection (a), the treasurer of state  
27 shall give notice of the affirmation to the parent of the eligible student or the emancipated eligible  
28 student and terminate the account.

29 Sec. 10. Notwithstanding 511 IAC 7-34-1(d)(4), a public school is not required to make available  
30 special education and related services to an eligible student if the eligible student receives funds  
31 under section 2 of this chapter and the special education services are provided to the eligible student  
32 by the participating entity. This section may not be construed as a restriction or limitation on any  
33 of the rights, benefits, and protections granted to an individual under the federal Individuals with  
34 Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 et seq.).

35 Sec. 11. Distributions made to an account under section 2 of this chapter or money in the account  
36 may not be treated as income or a resource for purposes of qualifying for any other federal or state  
37 grant or program administered by the state or a political subdivision.

38 Chapter 5. Participating Entities

39 Sec. 1. It is the intent of the general assembly to honor the autonomy of nonpublic schools that  
40 choose and are authorized to become participating entities under this article. A nonpublic eligible  
41 school is not an agent of the state or federal government, and therefore:

- 42 (1) the treasurer of state, state board, department, or any other state agency may not in any  
43 way regulate the educational program of a nonpublic school that accepts money from an  
44 account under this article, including the regulation of curriculum content, religious instruction  
45 or activities, classroom teaching, teacher and staff hiring requirements, and other activities  
46 carried out by the nonpublic school;  
47 (2) the creation of the program does not expand the regulatory authority of the state or the





1 state's officers to impose additional regulation of nonpublic schools beyond those necessary  
2 to enforce the requirements of the program; and

3 (3) an accredited nonpublic school that is a participating entity may provide for the  
4 educational needs of students without governmental control.

5 Sec. 2. (a) The following individuals or entities may become a participating entity by submitting  
6 an application to the treasurer of state in a manner prescribed by the treasurer of state:

7 (1) A qualified school.

8 (2) An approved postsecondary educational institution.

9 (3) An individual who or tutoring agency that provides private tutoring.

10 (4) An individual who or entity that provides services to a student with a disability in  
11 accordance with an individualized education program developed under IC 20-35 or a service  
12 plan developed under 511 IAC 7-34 or generally accepted standards of care prescribed by the  
13 eligible student's treating physician.

14 (5) An individual who or entity that offers a course, program, or distance learning program  
15 to an eligible student.

16 (6) A licensed occupational therapist.

17 (b) The treasurer of state shall approve an application submitted under subsection (a) if the  
18 individual or entity meets the criteria to serve as a participating entity.

19 (c) If it is reasonably expected by the treasurer of state that a participating entity will receive,  
20 from payments made under the program, more than fifty thousand dollars (\$50,000) during a  
21 particular school year, the participating entity shall, on or before a date prescribed by the treasurer  
22 of state:

23 (1) post a surety bond in an amount equal to the amount expected to be paid to the  
24 participating entity under the program for the particular school year; or

25 (2) provide the treasurer of state evidence, in a manner prescribed by the treasurer of state,  
26 indicating that the participating entity has unencumbered assets sufficient to pay the treasurer  
27 of state an amount equal to the amount expected to be paid to the participating entity under  
28 the program during the particular school year.

29 (d) Each participating entity that accepts payments made from an account under this article  
30 shall provide a receipt to the parent of an eligible student or to the emancipated eligible student for  
31 each payment made.

32 Sec. 3. (a) Each qualified school that is a participating entity that accepts payments for tuition  
33 and fees made from an account under the program shall administer to its eligible students the  
34 statewide assessment or an assessment that is correlated to the statewide assessment unless  
35 otherwise prescribed by the eligible student's:

36 (1) individualized education program;

37 (2) service plan developed under 511 IAC 7-34;

38 (3) choice special education plan developed under 511 IAC 7-49; or

39 (4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

40 (b) Upon receipt of the statewide assessment or an assessment that is correlated to the statewide  
41 assessment test results, the department shall, subject to the federal Family Educational Rights and  
42 Privacy Act (20 U.S.C. 1232g) and any regulations adopted under that act:

43 (1) aggregate the statewide assessment or an assessment that is correlated to the statewide  
44 assessment test results according to the grade level, gender, race, and family income level of  
45 all eligible students; and

46 (2) make the results determined under subdivision (1) available on the department's Internet  
47 web site.



1       Sec. 4. (a) The treasurer of state may refuse to allow a participating entity to continue  
2 participation in the program and revoke the participating entity's status as a participating entity  
3 if the treasurer of state determines that the participating entity accepts payments made from an  
4 account under this article and:

5           (1) has failed to provide any educational service required by state or federal law to an eligible  
6 student receiving instruction from the participating entity; or

7           (2) has routinely failed to meet the requirements of a participating entity under the program.

8       (b) If the treasurer of state revokes a participating entity's status as a participating entity in the  
9 program, the treasurer of state shall provide notice of the revocation within thirty (30) days of the  
10 revocation to each parent of an eligible student and to each emancipated eligible student receiving  
11 instruction from the participating entity who has paid the participating entity from the eligible  
12 student's account.

13       (c) The treasurer of state may permit a former participating entity described in subsection (a)  
14 to reapply with the treasurer of state for authorization to be a participating entity on a date  
15 established by the treasurer of state, which may not be earlier than one (1) year after the date on  
16 which the former participating entity's status as a participating entity was revoked under  
17 subsection (a). The treasurer of state may establish reasonable criteria or requirements that the  
18 former participating entity must meet before being reapproved by the treasurer of state as a  
19 participating entity.

20       Sec. 5. An approved participating entity:

21           (1) may not charge an eligible student participating in the program an amount greater than  
22 a similarly situated student who is receiving the same or similar services; and

23           (2) shall provide a receipt to a parent of an eligible student or an emancipated eligible student  
24 for each qualified expense charged for education or related services provided to the eligible  
25 student.

26       Sec. 6. The treasurer of state shall annually make available on the treasurer of state's Internet  
27 web site a list of participating entities.

28       Chapter 6. Rulemaking

29       Sec. 1. (a) The treasurer of state shall adopt rules under IC 4-22-2 necessary to administer this  
30 article.

31       (b) The state board shall adopt rules under IC 4-22-2 to establish a procedure to establish an  
32 Indiana education scholarship account education service plan for an eligible student defined in  
33 IC 20-51.4-2-6(3)(A).

34       SECTION 130. IC 21-18.5-4-3, AS AMENDED BY P.L.81-2019, SECTION 11, IS AMENDED TO  
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. For purposes of administering this chapter,  
36 the commission shall do the following:

37           (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2,  
38 IC 21-12-3, and IC 21-12-4.

39           (2) Prescribe the form and regulate the submission of applications for higher education awards and  
40 the commission's programs.

41           (3) Conduct conferences and interviews with applicants as appropriate.

42           (4) Determine the eligibility of applicants.

43           (5) Select qualified applicants.

44           (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice  
45 award (IC 21-12-4), **with any increases** subject to approval by the budget agency. ~~with review by~~  
46 ~~the budget committee.~~

47           (7) Determine the respective amounts of, and award, the appropriate higher education awards,



1 grants, and scholarships.

2 (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and  
3 scholarships.

4 (9) Act as the designated state agency for participation in any federal program for reinsurance of  
5 student loans.

6 (10) Receive federal funds made available to the commission for awards, grants, and scholarships,  
7 and disburse these funds in the manner prescribed by federal law.

8 (11) One (1) time every year, submit a report to the legislative council that provides data and  
9 statistical information regarding the number of individuals who received assistance under IC 21-12-6  
10 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under  
11 IC 5-14-6.

12 (12) One (1) time every year, submit a report to the budget committee that provides data and  
13 statistical information regarding the number of individuals who received assistance under IC 21-12,  
14 IC 21-13, and IC 21-14.

15 SECTION 131. IC 33-34-8-3, AS AMENDED BY P.L.39-2017, SECTION 2, IS AMENDED TO  
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Payment for all costs made as a result  
17 of proceedings in a small claims court shall be to the \_\_\_\_\_ Township of Marion County Small Claims  
18 Court (with the name of the township inserted). The court shall issue a receipt for all money received on  
19 a form numbered serially in duplicate.

20 (b) This subsection applies only to a low caseload court (as defined in section 5 of this chapter). All  
21 township docket fees and late fees received by the court shall be paid to the township trustee at the close  
22 of each month.

23 (c) This subsection does not apply to a low caseload court. This subsection applies to all other  
24 township small claims courts in Marion County. One dollar and fifty cents (\$1.50) of the township docket  
25 fee shall be paid to the township trustee of each low caseload court at the end of each month. The  
26 remaining township docket fees and late fees received by the court shall be paid to the township trustee  
27 at the close of each month.

28 (d) The court shall:

29 (1) semiannually distribute to the auditor of state:

30 (A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the  
31 homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund  
32 established under IC 33-37-9;

33 (B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for  
34 deposit in the state general fund;

35 (C) sixty percent (60%) of all court administration fees collected by the court under  
36 IC 33-37-5-27 for deposit in the state general fund;

37 (D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit  
38 in the judicial branch insurance adjustment account established by IC 33-38-5-8.2; **the state**  
39 **general fund.**

40 (E) seventy-five percent (75%) of all judicial salaries fees collected by the court under  
41 IC 33-37-5-26 for deposit in the state general fund; and

42 (F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022,  
43 by the court under IC 33-37-5-31; and

44 (2) distribute monthly to the county auditor all document storage fees received by the court.

45 The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall  
46 be deposited monthly in the township general fund of the township in which the court is located. The  
47 county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund



1 under IC 33-37-5-2.

2 (e) The court semiannually shall pay to the township trustee of the township in which the court is  
3 located the remaining forty percent (40%) of the court administration fees described under subsection  
4 (d)(1)(C) to fund the operations of the small claims court in the trustee's township.

5 SECTION 132. IC 33-37-5-25, AS AMENDED BY P.L.1-2006, SECTION 510, IS AMENDED TO  
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 25. (a) This subsection does not apply to the  
7 following:

8 (1) A criminal proceeding.

9 (2) A proceeding to enforce a statute defining an infraction.

10 (3) A proceeding for an ordinance violation.

11 In each action filed in a court described in IC 33-37-1-1, the clerk shall collect a judicial insurance  
12 adjustment fee of one dollar (\$1) **and deposit the amount collected in the state general fund.**

13 (b) In each action in which a person is:

14 (1) convicted of an offense;

15 (2) required to pay a pretrial diversion fee;

16 (3) found to have committed an infraction; or

17 (4) found to have violated an ordinance;

18 the clerk shall collect a judicial insurance adjustment fee of one dollar (\$1) **and deposit the amount**  
19 **collected in the state general fund.**

20 SECTION 133. IC 33-37-7-2, AS AMENDED BY P.L.156-2020, SECTION 124, IS AMENDED TO  
21 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The clerk of a circuit court shall  
22 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection  
23 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees  
24 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a  
25 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under  
26 IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees  
27 collected under the following:

28 (1) IC 33-37-4-1(a) (criminal costs fees).

29 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

30 (3) IC 33-37-4-3(a) (juvenile costs fees).

31 (4) IC 33-37-4-4(a) (civil costs fees).

32 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

33 (6) IC 33-37-4-7(a) (probate costs fees).

34 (7) IC 33-37-5-17 (deferred prosecution fees).

35 (b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the  
36 state user fee fund established in IC 33-37-9-2 the following:

37 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees  
38 collected under IC 33-37-4-1(b)(5).

39 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under  
40 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

41 (3) One hundred percent (100%) of the child abuse prevention fees collected under  
42 IC 33-37-4-1(b)(7).

43 (4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected  
44 under IC 33-37-4-1(b)(8).

45 (5) One hundred percent (100%) of the highway worksite zone fees collected under  
46 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

47 (6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.



1 (7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21  
2 not distributed under subsection (a).

3 (c) The clerk of a circuit court shall distribute monthly to the county auditor the following:  
4 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees  
5 collected under IC 33-37-4-1(b)(5).  
6 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under  
7 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

8 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free  
9 community fund established under IC 5-2-11.

10 (d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent  
11 (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees  
12 distributed by a clerk under this subsection as follows:  
13 (1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall  
14 deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under  
15 IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.  
16 (2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county  
17 auditor shall deposit all the fees in the county general fund.

18 (e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the  
19 sexual assault victims assistance fund established by IC 5-2-6-23(d) one hundred percent (100%) of the  
20 sexual assault victims assistance fees collected under IC 33-37-5-23.

21 (f) The clerk of a circuit court shall distribute monthly to the county auditor the following:  
22 (1) One hundred percent (100%) of the support and maintenance fees for cases designated as  
23 non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or  
24 the successor statewide automated support enforcement system collected under IC 33-37-5-6.  
25 (2) The percentage share of the support and maintenance fees for cases designated as Title IV-D  
26 child support cases in ISETS or the successor statewide automated support enforcement system  
27 collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation  
28 rate.

29 The county clerk shall distribute monthly to the department of child services the percentage share of the  
30 support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the  
31 successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not  
32 reimbursable to the county at the applicable federal financial participation rate.

33 (g) The clerk of a circuit court shall distribute monthly to the county auditor the following:  
34 (1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or  
35 IC 33-37-4-6(a)(2) for deposit in the county general fund.  
36 (2) One hundred percent (100%) of the small claims garnishee service fee under  
37 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.  
38 (3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in  
39 the county general fund.

40 (h) This subsection does not apply to court administration fees collected in small claims actions filed  
41 in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor  
42 of state for deposit in the state general fund one hundred percent (100%) of the following:  
43 (1) The public defense administration fee collected under IC 33-37-5-21.2.  
44 (2) The judicial salaries fees collected under IC 33-37-5-26.  
45 (3) The DNA sample processing fees collected under IC 33-37-5-26.2.  
46 (4) The court administration fees collected under IC 33-37-5-27.  
47 (5) **The judicial insurance adjustment fee collected under IC 33-37-5-25.**



1 (i) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the  
2 judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%)  
3 of the judicial insurance adjustment fee collected under IC 33-37-5-25.

4 (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  
5 be distributed as follows:

6 (1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit,  
7 superior, county, or probate court to the county auditor for deposit in the county general fund.

8 (2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or  
9 town court to the city or town fiscal officer for deposit in the city or town general fund.

10 (k) (j) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or  
11 IC 33-37-5-28(b)(4) shall be distributed as follows:

12 (1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in  
13 a circuit, superior, county, or probate court to the county auditor for deposit in the county general  
14 fund.

15 (2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in  
16 a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

17 (l) (k) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in  
18 the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the  
19 following:

20 (1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before  
21 its expiration on July 1, 2017).

22 (2) Any civil penalties imposed and collected by a court for a violation of a court order in a  
23 foreclosure action under IC 32-30-10.5.

24 (m) (l) The clerk of a circuit court shall distribute semiannually to the auditor of state one hundred  
25 percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.  
26 The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar  
27 Foundation (or a successor entity) as the entity designated to organize and administer the interest on  
28 lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the  
29 Indiana supreme court. The Indiana Bar Foundation shall:

30 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation  
31 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages  
32 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

33 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish  
34 approved pro bono legal services programs.

35 The handling and expenditure of the pro bono legal services fees received under this section by the  
36 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The  
37 amounts necessary to make the transfers required by this subsection are appropriated from the state  
38 general fund.

39 SECTION 134. IC 33-37-7-8, AS AMENDED BY P.L.144-2019, SECTION 19, IS AMENDED TO  
40 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The clerk of a city or town court shall  
41 distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection  
42 unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees  
43 collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a  
44 pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under  
45 IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees  
46 collected under the following:

47 (1) IC 33-37-4-1(a) (criminal costs fees).



1 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
2 (3) IC 33-37-4-4(a) (civil costs fees).  
3 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
4 (5) IC 33-37-5-17 (deferred prosecution fees).  
5 (b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share  
6 twenty percent (20%) of the amount of fees 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 33-37-4-4(a) (civil costs fees).  
10 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
11 (5) IC 33-37-5-17 (deferred prosecution fees).  
12 (c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of  
13 the fees collected under the following:  
14 (1) IC 33-37-4-1(a) (criminal costs fees).  
15 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
16 (3) IC 33-37-4-4(a) (civil costs fees).  
17 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
18 (5) IC 33-37-5-17 (deferred prosecution fees).  
19 (d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in  
20 the state user fee fund established in IC 33-37-9 the following:  
21 (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees  
22 collected under IC 33-37-4-1(b)(5).  
23 (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under  
24 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).  
25 (3) One hundred percent (100%) of the highway worksite zone fees collected under  
26 IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).  
27 (4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.  
28 (5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21  
29 not distributed under subsection (a).  
30 (e) The clerk of a city or town court shall distribute monthly to the county auditor the following:  
31 (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees  
32 collected under IC 33-37-4-1(b)(5).  
33 (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under  
34 IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).  
35 The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free  
36 community fund established under IC 5-2-11.  
37 (f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined  
38 in IC 36-1-2-7) one hundred percent (100%) of the following:  
39 (1) The late payment fees collected under IC 33-37-5-22.  
40 (2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).  
41 (3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or  
42 IC 33-37-4-6(a)(3).  
43 (4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.  
44 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under  
45 this subsection in the city or town general fund.  
46 (g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in  
47 the state general fund one hundred percent (100%) of the following:



1 (1) The public defense administration fee collected under IC 33-37-5-21.2.

2 (2) The DNA sample processing fees collected under IC 33-37-5-26.2.

3 (3) The court administration fees collected under IC 33-37-5-27.

4 **(4) The judicial insurance adjustment fee collected under IC 33-37-5-25.**

5 ~~(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in~~  
6 ~~the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent~~  
7 ~~(100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.~~

8 ~~(i) (h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit~~  
9 ~~in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under~~  
10 ~~IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries~~  
11 ~~fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city~~  
12 ~~or town court operations.~~

13 ~~(j) (i) The clerk of a city or town court shall distribute semiannually to the auditor of state one hundred~~  
14 ~~percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31.~~  
15 ~~The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar~~  
16 ~~Foundation (or a successor entity) as the entity designated to organize and administer the interest on~~  
17 ~~lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the~~  
18 ~~Indiana supreme court. The Indiana Bar Foundation shall:~~

19 (1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation  
20 receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages  
21 the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

22 (2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish  
23 approved pro bono legal services programs.

24 The handling and expenditure of the pro bono legal services fees received under this section by the  
25 Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The  
26 amounts necessary to make the transfers required by this subsection are appropriated from the state  
27 general fund.

28 SECTION 135. IC 33-38-5-8.2, AS AMENDED BY P.L.2-2005, SECTION 110, IS AMENDED TO  
29 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.2. (a) ~~As used in this section, "account"~~  
30 ~~refers to the judicial branch insurance adjustment account established by subsection (d).~~

31 ~~(b) As used in this section, "employees of the judicial branch" includes the following:~~

32 (1) Each judge described in section 6 of this chapter.

33 (2) Each magistrate:

34 (A) described in section 7 of this chapter; and

35 (B) receiving a salary under IC 33-23-5-10.

36 (3) Each justice and judge described in section 8 of this chapter.

37 (4) The judge described in IC 33-26.

38 (5) A prosecuting attorney whose entire salary is paid by the state.

39 ~~(e) (b) Employees of the judicial branch are entitled to a health care adjustment in any year that the~~  
40 ~~governor provides a health care adjustment to employees of the executive branch.~~

41 ~~(d) The judicial branch insurance adjustment account within the state general fund is established for~~  
42 ~~the purpose of providing health care adjustments under subsection (c). The account shall be administered~~  
43 ~~by the supreme court.~~

44 ~~(e) The expenses of administering the account shall be paid from money in the account.~~

45 ~~(f) The treasurer of state shall invest the money in the account not currently needed to meet the~~  
46 ~~obligations of the account in the same manner as other public money may be invested. Interest that~~  
47 ~~accrues from these investments shall be deposited in the account.~~





- 1 (g) Money in the account at the end of a state fiscal year does not revert to the state general fund.
- 2 (h) Money in the account is annually appropriated to the supreme court for the purpose of this section.
- 3 (i) If the funds appropriated for compliance with this section are insufficient, there is annually
- 4 appropriated from the state general fund sufficient funds to carry out the purpose of this section.

5 SECTION 136. IC 35-52-6-56.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 56.1. IC 6-7-4-9 defines a crime concerning**  
7 **the electronic cigarette tax.**

8 SECTION 137. IC 35-52-6-56.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO  
9 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 56.2. IC 6-7-4-10 defines a crime concerning**  
10 **the electronic cigarette tax.**

11 SECTION 138. IC 36-7.6-3-5, AS AMENDED BY P.L.237-2017, SECTION 48, IS AMENDED TO  
12 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A development authority shall  
13 prepare a comprehensive strategic development plan that includes detailed information concerning the  
14 following:

- 15 (1) The proposed projects to be undertaken or financed by the development authority.
- 16 (2) The following information for each project included under subdivision (1):
  - 17 (A) Timeline and budget.
  - 18 (B) The return on investment.
  - 19 (C) The projected or expected need for an ongoing subsidy.
  - 20 (D) Any projected or expected federal matching funds.

21 (b) The development authority shall, not later than January 1 of the second year following the year in  
22 which the development authority is established, submit the comprehensive strategic development plan  
23 for review by the budget committee and approval by the director of the office of management and budget  
24 and the Indiana economic development corporation. However, a development authority that has already  
25 submitted its comprehensive strategic development plan as part of an application for a grant or a loan  
26 under IC 5-28-37 (before its repeal) or IC 5-28-38 (**before its repeal**) is not required to resubmit its  
27 comprehensive strategic development plan under this subsection.

28 SECTION 139. P.L.108-2019, SECTION 249, IS AMENDED TO READ AS FOLLOWS  
29 [EFFECTIVE JUNE 29, 2021]: SECTION 249. (a) The definitions of "vacation leave", "sick leave", and  
30 other types of leave used on July 1, 2010, by the department apply to this SECTION.

31 (b) As used in this SECTION, "department" refers to the state personnel department established by  
32 IC 4-15-2.2-13.

33 (c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under  
34 subsection (d).

35 (d) The personnel committee of the legislative council for the legislative branch of state government  
36 or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot  
37 program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION  
38 10 (before its expiration), including provisions adopted by:

- 39 (1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;
- 40 (2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher  
41 of the Indiana Register on October 16, 2006, to govern the pilot program; or
- 42 (3) the auditor of state to administer the pilot program.

43 (e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the  
44 legislative council or the Indiana supreme court, or both, may adopt procedures to implement and  
45 administer the pilot program, including provisions established or reestablished under subsection (d).

46 (f) The auditor of state shall provide for the administration of the pilot program.

47 (g) This SECTION expires June 30, ~~2021~~. **2023.**



1 SECTION 140. [EFFECTIVE UPON PASSAGE] (a) One hundred ten million dollars  
2 (\$110,000,000) is appropriated from the state general fund to the budget agency for the state fiscal  
3 year ending June 30, 2021, to defease any remaining bonds issued by the state office building  
4 commission, the recreational development commission, or the state fair commission.

5 (b) Money appropriated under this section may not be used for any other purpose.

6 (c) This SECTION expires June 30, 2022.

7 SECTION 141. [EFFECTIVE UPON PASSAGE] (a) For the state fiscal year beginning July 1,  
8 2020, and ending June 30, 2021, the budget agency may augment the county jail maintenance  
9 contingency fund appropriation from the state general fund by an amount necessary to cover jail  
10 and parole holds. Any augmentation may only be used to pay for additional jail and parole holds  
11 and may not be used to provide additional funding to sheriffs for persons convicted of Level 6  
12 felonies or to increase the jail and parole hold per diem above thirty-seven dollars and fifty cents  
13 (\$37.50).

14 (b) This SECTION expires June 30, 2022.

15 SECTION 142. [EFFECTIVE JULY 1, 2021] (a) The following definitions apply throughout this  
16 SECTION:

17 (1) "Department" means the Indiana department of gaming research established by  
18 IC 4-33-18-2, before its amendment by this act.

19 (2) "Commission" means the Indiana gaming commission established under IC 4-33.

20 (3) "Gaming research division" means the gaming research division of the commission  
21 established by IC 4-33-18-2, as amended by this act.

22 (b) On July 1, 2021, all functions, powers, authorities, duties, agreements, and liabilities of the  
23 department are transferred to the gaming research division.

24 (c) On July 1, 2021, all records, property, and funds under the control of the department are  
25 transferred to the gaming research division.

26 (d) Employees of the department on June 30, 2021, become employees of the gaming research  
27 division on July 1, 2021.

28 (e) After June 30, 2021, a reference to the department in any statute, rule, or other document is  
29 considered a reference to the gaming research division.

30 SECTION 143. [EFFECTIVE UPON PASSAGE] (a) Any balance in the exoneration fund  
31 established by IC 5-2-23-7, as repealed by this act, shall be transferred to the state general fund on  
32 June 30, 2021.

33 (b) This SECTION expires July 1, 2021.

34 SECTION 144. [EFFECTIVE UPON PASSAGE] (a) Any balance in the judicial branch insurance  
35 adjustment account established by IC 33-38-5-8.2(d), before its elimination by this act, shall be  
36 transferred to the state general fund on June 30, 2021.

37 (b) This SECTION expires July 1, 2021.

38 SECTION 145. P.L.108-2019, SECTION 255, IS AMENDED TO READ AS FOLLOWS  
39 [EFFECTIVE UPON PASSAGE]: SECTION 255. (a) Notwithstanding IC 4-13-2-19 or any other law,  
40 any part of an appropriation made for the legislative council and the legislative services agency, in a state  
41 fiscal year beginning after June 30, 2018, and ending before July 1, ~~2020~~, 2022, that is unexpended and  
42 unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general  
43 revenue fund but remains available for expenditure during either state fiscal year in ~~the~~ a biennium  
44 beginning ~~July 1, 2019~~, after June 30, 2019, and ending ~~June 30, 2021~~, before July 1, 2023. The  
45 unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act  
46 for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of  
47 the legislative services agency, for the total operating expenses of the legislative council or the legislative



- 1 services agency, or both.
- 2 (b) This SECTION expires ~~June 30, 2021~~ **July 1, 2023**.
- 3 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

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, line 21, delete "GUN CRIMES" and insert "**CRIME GUNS**".

Page 35, line 20, delete "2,382,577 2,382,577" and insert "**882,577 882,577**".

Page 35, line 23, delete "Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)" and insert "**Environmental Management Special Fund (IC 13-14-12)**".

(Reference is to HB 1001 as printed February 15, 2021.)

BROWN T

HB 1001—LS 7431/DI 120



HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, line 43, delete "1,501,708 1,501,708" and insert "**2,000,000 2,000,000**".

(Reference is to HB 1001 as printed February 15, 2021.)

SULLIVAN

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 130, line 33, after "disabilities" insert "**level one (1), including multiple disabilities, orthopedic impairment, emotional disability requiring full-time placement, severe intellectual disability, autism spectrum disorders, and traumatic brain injury,**".

Page 130, between lines 34 and 35, begin a new line block indented and insert:

**"(2) The nonduplicated count of pupils in programs for severe disabilities level (2), including blind or low vision, deaf or hard of hearing, and deaf and blind, multiplied by nine thousand one hundred fifty-six dollars (\$9,156)."**

Page 130, line 35, strike "(2)" and insert "(3)".

Page 130, line 35, after "disabilities" insert "**level one (1), including specific learning disability, developmental delay, and other health impairment,**".

Page 130, between lines 36 and 37, begin a new line block indented and insert:

**"(4) The nonduplicated count of pupils in programs for mild and moderate disabilities level two (2), including emotional disability not requiring full-time placement, mild intellectual disability, and moderate intellectual disability, multiplied by two thousand three hundred dollars (\$2,300)."**

Page 130, line 37, strike "(3)" and insert "(5)".

Page 130, line 39, strike "(4)" and insert "(6)".

Page 130, line 41, strike "(5)" and insert "(7)".

(Reference is to HB 1001 as printed February 15, 2021.)

CLERE

HB 1001—LS 7431/DI 120



HOUSE MOTION

Mr. Speaker: I move that House Bill 1001 be amended to read as follows:

Page 25, between lines 33 and 34, begin a new line and insert:

**"LOCAL LAW ENFORCEMENT TRAINING GRANTS**

**Total Operating Expense 3,500,000 3,500,000**

**The above appropriations are for the purpose of providing grants to city, town, and county law enforcement agencies to conduct law enforcement training, including the purchase of supplies and training materials. Law enforcement agencies may apply for grants in accordance with policies and procedures established by the criminal justice institute. A grant awarded by the criminal justice institute to a law enforcement agency in a fiscal year may not exceed the amount that the law enforcement agency received from fees collected pursuant to IC 35-47-2-3 in calendar year 2020."**

(Reference is to HB 1001 as printed February 15, 2021.)

SMALTZ

