

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1245

AN ACT to amend the Indiana Code concerning higher education.

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

SECTION 1. IC 6-9-2-2, AS AMENDED BY P.L.137-2012, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The revenue received by the county treasurer under this chapter shall be allocated to the Lake County convention and visitor bureau, Indiana University-Northwest, Purdue ~~University-Calumet~~ **University Northwest**, municipal public safety departments, municipal physical and economic development divisions, and the cities and towns in the county as provided in this section. Subsections (b) through (g) do not apply to the distribution of revenue received under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary.

(b) The Lake County convention and visitor bureau shall establish a convention, tourism, and visitor promotion fund (referred to in this chapter as the "promotion fund"). The county treasurer shall transfer to the Lake County convention and visitor bureau for deposit in the promotion fund thirty-five percent (35%) of the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. The promotion fund consists of:

- (1) money in the promotion fund on June 30, 2005;

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(2) revenue deposited in the promotion fund under this subsection after June 30, 2005; and

(3) investment income earned on the promotion fund's assets.

Money in the funds established by the bureau may be expended to promote and encourage conventions, trade shows, special events, recreation, and visitors. Money may be paid from the funds established by the bureau, by claim in the same manner as municipalities may pay claims under IC 5-11-10-1.6.

(c) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Indiana University-Northwest forty-four and thirty-three hundredths percent (44.33%) of the revenue received under this chapter for that year to be used as follows:

(1) Seventy-five percent (75%) of the revenue received under this subsection may be used only for the university's medical education programs.

(2) Twenty-five percent (25%) of the revenue received under this subsection may be used only for the university's allied health education programs.

(d) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall allocate among the cities and towns throughout the county nine percent (9%) of the revenue received under this chapter for that year as follows:

(1) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).

(2) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).

(3) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a population of more than twenty-nine thousand six hundred (29,600) but less than twenty-nine thousand nine hundred (29,900).

(4) Seventy percent (70%) of the revenue covered by this subsection shall be distributed in equal amounts to each town and each city not receiving a distribution under subdivisions (1) through (3).



The money distributed under this subsection may be used only for tourism and economic development projects. The county treasurer shall make the distributions on or before December 1 of each year.

(e) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Purdue ~~University-Calumet~~ **University Northwest** nine percent (9%) of the revenue received under this chapter for that year. The money received by Purdue ~~University-Calumet~~ **University Northwest** may be used by the university only for nursing education programs.

(f) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer two and sixty-seven hundredths percent (2.67%) of the revenue received under this chapter for that year to the following cities:

- (1) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).
- (2) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).

Money transferred under this subsection may be used only for convention facilities located within the city. In addition, the money may be used only for facility marketing, sales, and public relations programs. Money transferred under this subsection may not be used for salaries, facility operating costs, or capital expenditures related to the convention facilities. The county treasurer shall make the transfers on or before December 1 of each year.

(g) This subsection applies to the revenue received from the tax imposed under this chapter in each year that exceeds one million two hundred thousand dollars (\$1,200,000). During each year, the county treasurer shall distribute money in the promotion fund as follows:

- (1) Eighty-five percent (85%) of the revenue covered by this subsection shall be deposited in the convention, tourism, and visitor promotion fund. The money deposited in the fund under this subdivision may be used only for the purposes for which other money in the fund may be used.
- (2) Five percent (5%) of the revenue covered by this subsection



shall be transferred to Purdue ~~University-Calumet~~. **University Northwest**. The money received by Purdue ~~University-Calumet~~ **University Northwest** under this subdivision may be used by the university only for nursing education programs.

(3) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's medical education programs.

(4) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's allied health education programs.

(h) This subsection applies only to the distribution of revenue received from the tax imposed under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary. During each year, the county treasurer shall transfer:

(1) seventy-five percent (75%) of the revenues under this subsection to the department of public safety; and

(2) twenty-five percent (25%) of the revenues under this subsection to the division of physical and economic development;

of the city of Gary.

(i) The Lake County convention and visitor bureau shall assist the county treasurer, as needed, with the calculation of the amounts that must be deposited and transferred under this section.

SECTION 2. IC 20-24-1-2.5, AS AMENDED BY P.L.221-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.5. "Authorizer" means, for a charter school, one (1) of the following:

(1) Subject to IC 20-24-2.2-1.2, a governing body.

(2) A state educational institution that offers a four (4) year baccalaureate degree.

(3) The executive (as defined in IC 36-1-2-5) of a consolidated city.

(4) The charter board.

(5) Subject to IC 20-24-2.2-1.2, a governing board of a nonprofit college or university that provides a four (4) year educational program for which it awards a baccalaureate or more advanced degree, including the following:

Anderson University



Bethel ~~College~~ **University**
 Butler University
 Calumet College of St. Joseph
 DePauw University
 Earlham College
 Franklin College
 Goshen College
 Grace College
 Hanover College
 Holy Cross College
 Huntington University
 Indiana Tech
 Indiana Wesleyan University
 Manchester ~~College~~ **University**
 Marian University
 Martin University
 Oakland City University
 Rose-Hulman Institute of Technology
~~Saint Joseph's College~~
 Saint Mary-of-the-Woods College
 Saint Mary's College
 Taylor University
 Trine University
 University of Evansville
 University of Indianapolis
 University of Notre Dame
 University of Saint Francis
 Valparaiso University
 Wabash College.

SECTION 3. IC 21-7-13-6, AS AMENDED BY P.L.217-2017, SECTION 141, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) "Approved postsecondary educational institution", for purposes of this title (except section 15 of this chapter, IC 21-12-6, and IC 21-13-1-4) means the following:

- (1) A postsecondary educational institution that operates in Indiana and:
 - (A) provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree;
 - (B) is either operated by the state or operated nonprofit; and
 - (C) is accredited by a recognized regional accrediting agency, including:



- (i) Ancilla College;
- (ii) Anderson University;
- (iii) Bethel College; **University;**
- (iv) Butler University;
- (v) Calumet College of St. Joseph;
- (vi) DePauw University;
- (vii) Earlham College;
- (viii) Franklin College;
- (ix) Goshen College;
- (x) Grace College and Seminary;
- (xi) Hanover College;
- (xii) Holy Cross College;
- (xiii) Huntington University;
- (xiv) Indiana Institute of Technology;
- (xv) Indiana Wesleyan University;
- (xvi) Manchester College; **University;**
- (xvii) Marian University;
- (xviii) Martin University;
- (xix) Oakland City University;
- (xx) Rose-Hulman Institute of Technology;
- ~~(xxi) Saint Joseph's College;~~
- ~~(xxii) (xxi) Saint Mary-of-the-Woods College;~~
- ~~(xxiii) (xxii) Saint Mary's College;~~
- ~~(xxiv) (xxiii) Taylor University;~~
- ~~(xxv) (xxiv) Trine University;~~
- ~~(xxvi) (xxv) University of Evansville;~~
- ~~(xxvii) (xxvi) University of Indianapolis;~~
- ~~(xxviii) (xxvii) University of Notre Dame;~~
- ~~(xxix) (xxviii) University of Saint Francis;~~
- ~~(xxx) (xxix) Valparaiso University; and~~
- ~~(xxxi) (xxx) Wabash College;~~

or is accredited by the board for proprietary education under IC 21-18.5-6 or an accrediting agency recognized by the United States Department of Education.

- (2) Ivy Tech Community College.
- (3) A hospital that operates a nursing diploma program that is accredited by the Indiana state board of nursing.
- (4) A postsecondary credit bearing proprietary educational institution that meets the following requirements:
 - (A) Is incorporated in Indiana, or is registered as a foreign corporation doing business in Indiana.
 - (B) Is fully accredited by and is in good standing with the



board for proprietary education under IC 21-18.5-6.

(C) Is accredited by and is in good standing with a regional or national accrediting agency.

(D) Offers a course of study that is at least eighteen (18) consecutive months in duration (or an equivalent to be determined by the board for proprietary education under IC 21-18.5-6) and that leads to an associate or a baccalaureate degree recognized by the board for proprietary education under IC 21-18.5-6.

(E) Is certified by the board for proprietary education as meeting the requirements of this subdivision.

(5) A postsecondary SEI affiliated educational institution.

(b) "Approved postsecondary educational institution" for purposes of section 15 of this chapter, IC 21-12-6, and IC 21-13-1-4, means the following:

(1) A state educational institution.

(2) A nonprofit college or university.

(3) A postsecondary credit bearing proprietary educational institution that is accredited by an accrediting agency recognized by the United States Department of Education.

(4) A postsecondary SEI affiliated educational institution.

SECTION 4. IC 21-12-5 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Hoosier Scholar Award Program).

SECTION 5. IC 21-12-9 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Insurance Education Scholarship Fund).

SECTION 6. IC 21-12-13-2, AS AMENDED BY P.L.191-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) This section applies to the following scholarship, stipend, and fee remission statutes:

(1) IC 21-12-3.

(2) IC 21-12-4.

(3) IC 21-12-6.

~~(4) IC 21-12-9.~~

~~(5)~~ (4) IC 21-13-2.

~~(6)~~ (5) IC 21-13-7.

~~(7)~~ (6) IC 21-13-8.

~~(8)~~ (7) IC 21-13-4.

~~(9)~~ (8) IC 21-14-5.

~~(10)~~ (9) IC 21-12-16.

(b) Except as provided in subsection (c), and except for a stipend granted under IC 21-13-8 to an individual described in IC 21-13-8-1(b)(2)(B), a grant or reduction in tuition or fees, including

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all renewals and extensions, under any of the laws listed in subsection (a) may not exceed the number of terms that constitutes four (4) undergraduate academic years, as determined by the commission, and must be used within eight (8) years after the date the individual first applies and becomes eligible for benefits under the applicable law.

(c) The commission may, subject to the availability of funds, extend eligibility under subsection (b) for a recipient who used a grant or reduction in tuition or fees under any of the statutes listed in subsection (a) at a postsecondary educational institution that closed. The extension of eligibility may not exceed the number of terms used by the recipient at the postsecondary educational institution that closed.

SECTION 7. IC 21-13-10 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Teacher Loan Repayment Program and Fund).

SECTION 8. IC 21-14-5-6 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 6. (a) In addition, not later than thirty (30) days after the end of each semester (or its equivalent if the state educational institution does not conduct its academic year on a semester basis); each state educational institution shall provide the commission with a comprehensive report detailing the extent to which the institution participated in the senior citizen tuition exemption under this chapter:~~

~~(b) The report must include the following information:~~

~~(1) The number of senior citizens who qualified for a tuition exemption.~~

~~(2) The courses in which the senior citizens enrolled.~~

~~(3) The number of semester hours (or its equivalent) taken by senior citizens under this chapter.~~

~~(4) Any other pertinent information required by the commission.~~

SECTION 9. IC 21-16-2-8, AS AMENDED BY P.L.272-2013, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. Funds received by students under this chapter must not be considered as financial aid and must not be used in determining awards under the provisions of IC 21-12-3 and IC 21-12-4. ~~and IC 21-12-5.~~

SECTION 10. IC 21-18.5-1-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) As used in this section, "high school" has the meaning set forth in IC 20-18-2-7.

(b) The commission shall provide each high school in Indiana with the names of the students of that high school who have filed for financial aid if the high school has entered into an agreement with the commission as required under subsection (c).

(c) Each Indiana high school shall enter into an agreement, in



accordance with the federal Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.), to allow the commission to share the information described in subsection (b) with the Indiana high school. A school corporation may enter into one (1) agreement for individual or multiple high schools of the school corporation.

SECTION 11. IC 21-18.5-4-3, AS AMENDED BY P.L.46-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. For purposes of administering this chapter, the commission shall do the following:

- (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2, IC 21-12-3, **and** IC 21-12-4. ~~and IC 21-12-5.~~
- (2) Prescribe the form and regulate the submission of applications for higher education awards and the commission's programs.
- (3) Conduct conferences and interviews with applicants as appropriate.
- (4) Determine the eligibility of applicants.
- (5) Select qualified applicants.
- (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice award (IC 21-12-4), subject to approval by the budget agency with review by the budget committee.
- (7) Determine the respective amounts of, and award, the appropriate higher education awards, grants, and scholarships.
- (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and scholarships.
- (9) Act as the designated state agency for participation in any federal program for reinsurance of student loans.
- (10) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.
- (11) One (1) time every year, submit a report to the legislative council that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12-6 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under IC 5-14-6.
- (12) One (1) time every year, submit a report to the budget committee that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12, IC 21-13, and IC 21-14.
- ~~(13) Administer and determine the eligibility of applicants for, and award amounts under, the teacher loan repayment program~~



established under IC 21-13-10:

SECTION 12. IC 21-22-3-6 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 6. Not later than June 30, 2007, Ivy Tech Community College shall enter into a lease, after review by the budget committee and approval by the budget agency, with the owners of the Fort Wayne Regional Public Safety Center to be constructed after July 1, 2005, in the Southtown Community Revitalization Enhancement District to use the Fort Wayne Regional Public Safety Center to further its partnership with the Northeast Indiana Workforce Investment Board, the Regional Anthis Career Center, the Indiana National Guard, Indiana University-Purdue University at Fort Wayne, and other area institutions to allow the Fort Wayne Regional Public Safety Center to offer public safety related degree programs. The lease may not exceed a term that ends before July 1, 2022, or provide for a lease rental payment, excluding a reasonable allowance for maintenance and repair services, that exceeds one million dollars (\$1,000,000) in any state fiscal year covered by the lease.

SECTION 13. IC 21-26-1-4, AS ADDED BY P.L.213-2015, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. "~~Multisystem~~ "Metropolitan university" means public facilities, faculty, and other personnel:

- (1) operating primarily in a city that is classified as a second class city under IC 36-4-1-1;
- (2) that were managed by Purdue University on January 1, 2015;
- (3) serving a diverse student body including both recent high school graduates and adults, many of whom are first generation students, low income students, or other students balancing their education with work and family obligations;
- (4) providing students with an opportunity at ~~one (1) campus~~ to engage in an educational course of study that leads to a postsecondary educational degree from Purdue University; ~~or Indiana University; or both;~~
- (5) administered as a ~~core~~ campus that emphasizes the significance and complementarity of the ~~core~~ campus to the main ~~campuses~~ **campus** of Purdue University at West Lafayette, Indiana; ~~and Indiana University at Bloomington, Indiana;~~ and
- (6) endowed with the resources and authority, necessary or appropriate, to carry out all of higher education's traditional values in teaching, research, and professional service, and, in addition, to provide leadership to a metropolitan region by using its human resources and financial resources to improve the region's quality of life.



SECTION 14. IC 21-26-4 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Fort Wayne School of Fine Arts).

SECTION 15. IC 21-26-5-1, AS ADDED BY P.L.213-2015, SECTION 239, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The commission for higher education shall designate, treat, and classify for reporting purposes ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne as a ~~multisystem~~ metropolitan university and not a regional campus.

SECTION 16. IC 21-26-5-2, AS ADDED BY P.L.213-2015, SECTION 239, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The commission for higher education shall establish a set of policies for ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne that recognizes its unique role in the Indiana system of public higher education, including policies that:

- (1) establish performance funding metrics that are appropriate for the characteristics of the student body enrolled full time and part time at ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne;
- (2) permit a higher percentage of on-campus residential housing than is permitted by the commission for higher education for regional campuses;
- (3) facilitate the delivery of a broad array of master's ~~degree~~ **degrees** and terminal professional doctoral degrees:
 - (A) that are offered in disciplines needed in the metropolitan area; and
 - (B) as approved by the board of trustees of ~~the respective degree granting state educational institution~~ **Purdue University** and the commission for higher education; and
- (4) facilitate both basic and applied research primarily but not limited exclusively to research having the potential to advance the quality of life in the region in which ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne is located and the competitiveness and recognition of the region's individuals, businesses, and other entities in global commerce and affairs.

SECTION 17. IC 21-26-5-3, AS ADDED BY P.L.213-2015, SECTION 239, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The board of trustees of Purdue University shall facilitate the development and operation of ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne as a ~~multisystem~~ metropolitan university, including the goals and policies described in section 2 of this chapter. The board of trustees, the president, the faculty, and the administration of Purdue University shall recognize the



need for ~~Indiana University-Purdue~~ **Purdue** University Fort Wayne to develop unique policies and practices in support of its mission and shall encourage within the Purdue University ~~and Indiana University systems~~ **system** opportunities for flexibility and autonomy.

SECTION 18. IC 21-26-5-4 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 4: The board of trustees of Indiana University shall facilitate the development and operation of Indiana University-Purdue University Fort Wayne as a multisystem metropolitan university, including the goals and policies described in section 2 of this chapter. The board of trustees, the president, the faculty, and the administration of Indiana University shall recognize the need for Indiana University-Purdue University Fort Wayne to develop unique policies and practices in support of its mission and shall encourage within the Purdue University and Indiana University systems opportunities for flexibility and autonomy.~~

SECTION 19. IC 27-1-15.6-7.3, AS AMENDED BY P.L.3-2008, SECTION 209, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7.3. (a) The commissioner may design or have designed an insurance producer certificate suitable for framing and display.

(b) Upon request of an insurance producer, the commissioner may issue a certificate described in subsection (a).

(c) The commissioner may impose and collect a reasonable fee for a certificate issued under subsection (b). ~~The commissioner shall deposit fees collected under this subsection into the insurance education scholarship fund established by IC 21-12-9-5.~~

(d) The commissioner shall establish guidelines to implement this section.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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