

HOUSE BILL No. 1388

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-14-4.

Synopsis: Tuition and fee exemptions. Provides that certain eligible applicants for higher education cost exemptions are entitled to receive instruction in a state educational institution without the payment of any educational costs. Repeals a provision concerning certain disability ratings, as determined by the United States Department of Veterans Affairs, and educational cost exemptions.

Effective: July 1, 2023.

Andrade, Zent

January 17, 2023, read first time and referred to Committee on Education.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1388



A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

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

1 SECTION 1. IC 21-14-4-1, AS AMENDED BY P.L.112-2019,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 1. (a) This chapter applies to the following
4 persons:
5 (1) A person who:
6 (A) is a pupil at the Soldiers' and Sailors' Children's Home;
7 and
8 (B) was admitted to the Soldiers' and Sailors' Children's Home
9 because the person was related to a member of the armed
10 forces of the United States.
11 (2) A person whose mother or father:
12 (A) served in the armed forces of the United States;
13 (B) received the Purple Heart decoration or was wounded as
14 a result of enemy action;
15 (C) received a discharge or separation from the armed forces
16 other than a dishonorable discharge; and
17 (D) either designated Indiana as home of record at the time of



- 1 enlistment in the armed forces of the United States or resided
 2 in Indiana at least ~~five one (5) (1) years year~~ before the person
 3 first applies for an exemption under this chapter.
- 4 (3) A person whose mother or father:
- 5 ~~(A) served in the armed forces of the United States during a~~
 6 ~~war or performed duty equally hazardous that was recognized~~
 7 ~~by the award of a service or campaign medal of the United~~
 8 ~~States;~~
 9 ~~(B) (A) suffered a service connected death or disability as~~
 10 ~~determined by the United States Department of Veterans~~
 11 ~~Affairs;~~
 12 ~~(C) (B) received any discharge or separation from the armed~~
 13 ~~forces other than a dishonorable discharge; and~~
 14 ~~(D) (C) either listed Indiana as home of record at the time of~~
 15 ~~enlistment in the armed forces of the United States or resided~~
 16 ~~in Indiana at least five one (5) (1) years year before the person~~
 17 ~~first applies for an exemption under this chapter.~~
- 18 (4) A person who:
- 19 (A) enters active duty service from a permanent home address
 20 in Indiana;
 21 (B) received a discharge or separation from the armed forces
 22 of the United States other than a dishonorable discharge; and
 23 (C) received the Purple Heart decoration or was wounded as
 24 a result of enemy action.
- 25 (5) A person whose mother, father, or spouse:
- 26 (A) served as a public safety officer; and
 27 (B) was killed in the line of duty.
- 28 (6) A person whose mother, father, or spouse:
- 29 (A) is a member of the 1977 fund;
 30 (B) sustained a catastrophic physical personal injury in the line
 31 of duty; and
 32 (C) qualifies for benefits under IC 36-8-8-13.3(f) or
 33 IC 36-8-8-13.5(m).
- 34 (7) A person whose mother, father, or spouse:
- 35 (A) was a member of the Indiana National Guard; and
 36 (B) suffered a service connected death while serving on state
 37 active duty (as described in IC 10-16-7-7).
- 38 (8) A person whose mother, father, or spouse:
- 39 (A) was a state police officer; and
 40 (B) suffered a permanent and total disability from a
 41 catastrophic personal injury that was sustained in the line of
 42 duty and permanently prevents the state police officer from



- 1 performing any gainful work.
- 2 (b) In addition to the eligibility requirements under subsection (a),
 3 an individual must meet the following to be eligible for an educational
 4 costs exemption under this chapter:
- 5 (1) The individual is eligible to pay the resident tuition rate at the
 6 state educational institution the individual will attend, as
 7 determined by the state educational institution.
- 8 (2) If the individual:
- 9 (A) qualifies for an exemption under this chapter based on the
 10 service of the individual's mother or father; and
 11 (B) was adopted by the individual's mother or father described
 12 in clause (A);
 13 the individual was adopted before the individual was eighteen
 14 (18) years of age.
- 15 (3) If the individual qualifies for an exemption under this chapter
 16 based on the service of the individual's mother or father, the
 17 individual is not more than thirty-two (32) years of age when the
 18 individual first applies and becomes eligible for the exemption
 19 under this chapter.
- 20 (4) The individual is, after high school graduation, pursuing a
 21 prescribed course of study at the state educational institution.
- 22 (5) After July 1, 2020, the individual maintains satisfactory
 23 academic progress, as determined by the state educational
 24 institution.

25 SECTION 2. IC 21-14-4-2, AS AMENDED BY P.L.112-2019,
 26 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2023]: Sec. 2. (a) Subject to ~~this section and section 2.5 of this~~
 28 ~~chapter, subsection (b)~~, an eligible applicant is entitled to enter,
 29 remain, and receive instruction in a state educational institution upon
 30 the same conditions, qualifications, and regulations prescribed for other
 31 applicants for admission to or scholars in the state educational
 32 institutions, without the payment of any educational costs for one
 33 hundred twenty-four (124) semester credit hours in the state
 34 educational institution.

35 (b) The maximum amount that an eligible applicant is exempt from
 36 paying for a semester hour is an amount equal to the cost of an
 37 undergraduate semester credit hour at the state educational institution
 38 in which the eligible applicant enrolls.

39 (c) ~~Notwithstanding any other provision of this chapter or another~~
 40 ~~law, a change in the criteria for or the amount of an exemption awarded~~
 41 ~~under this chapter enacted in the 2011 session of the general assembly~~
 42 ~~applies only to an individual who qualifies for an exemption under this~~



1 chapter because of a father or mother (or in the case of section 1(a)(1)
 2 of this chapter, a related member) who enlisted or otherwise initially
 3 served in the armed forces of the United States after June 30, 2011.

4 SECTION 3. IC 21-14-4-2.5 IS REPEALED [EFFECTIVE JULY
 5 1, 2023]. Sec. 2-5. (a) This section applies to an individual who
 6 qualifies as an eligible applicant under section 1(a)(3) of this chapter
 7 because the individual's father or mother:

8 (1) enlisted or otherwise initially served in the armed forces of the
 9 United States after June 30, 2011; and

10 (2) suffered a disability as determined by the United States
 11 Department of Veterans Affairs.

12 (b) This section does not apply to an individual who:

13 (1) is an eligible applicant under section 1(a)(3) of this chapter;
 14 and

15 (2) qualifies as an eligible applicant under section 1(a)(1) or
 16 1(a)(2) of this chapter.

17 (c) Subject to subsection (d) and section 2(b) of this chapter, the
 18 eligible applicant is entitled to a reduction in the educational costs that
 19 would otherwise apply as follows:

20 (1) If the individual's father or mother suffered a disability as
 21 determined by the United States Department of Veterans Affairs
 22 with a rating of eighty percent (80%) or more, the individual is
 23 entitled to a one hundred percent (100%) reduction in education
 24 costs.

25 (2) If the individual's father or mother suffered a disability as
 26 determined by the United States Department of Veterans Affairs
 27 with a rating of less than eighty percent (80%), the individual is
 28 entitled to a reduction in education costs equal to the sum of:

29 (A) twenty percent (20%); plus

30 (B) the disability rating of the individual's father or mother.

31 (d) The latest disability rating determined by the United States
 32 Department of Veterans Affairs for an individual's father or mother
 33 shall be used to compute the percentage by which education costs are
 34 reduced under this section. If the disability rating of the individual's
 35 father or mother changes after the beginning of an academic semester,
 36 quarter, or other period for which educational costs have been reduced
 37 under this section, the change in disability rating shall be applied
 38 beginning with the immediately following academic semester, quarter,
 39 or other period.

