

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 ENROLLED ACT No. 1511

AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

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

SECTION 1. IC 21-13-1-4, AS AMENDED BY P.L.63-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. "Eligible student", for purposes of section 8 of this chapter, means a person who:

- (1) is a member of the Indiana National Guard:
 - (A) in active drilling status; and
 - (B) who has not been absent without leave within the twelve (12) months immediately preceding the date the person applies for a tuition scholarship under this chapter;
- (2) possesses the requisite academic qualifications; **and**
- ~~(3) meets the requirements of the state educational institution in which the person is enrolled or will enroll; and~~
- ~~(4)~~ **(3)** meets all other eligibility requirements as determined by the commission.

SECTION 2. IC 21-13-1-7, AS ADDED BY P.L.2-2007, SECTION 254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. "Scholarship", for purposes of IC 21-13-4, means financial assistance provided to a student to offset the educational costs incurred by the student in attending a state educational institution **or an approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C)(i) through IC 21-7-13-6(a)(1)(C)(xxx)** as

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determined by the commission.

SECTION 3. IC 21-13-1-8, AS AMENDED BY P.L.217-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. "Scholarship applicant", for purposes of IC 21-13-4, means a person who:

- (1) is an eligible student;
- (2) has been accepted to attend a state educational institution **or an approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C)(i) through IC 21-7-13-6(a)(1)(C)(xxx)** as a full-time or part-time student;
- (3) has been certified to have met all National Guard requirements; and
- (4) according to commission requirements, has timely filed an application for and, if applicable, used any federal and state financial assistance available to the person. ~~to attend a state educational institution.~~

SECTION 4. IC 21-13-4-1, AS AMENDED BY P.L.234-2007, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The National Guard tuition supplement program fund is established to provide the financial resources necessary to award the tuition scholarships authorized under the program.

(b) The commission shall administer the fund.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for providing money for national guard tuition supplement scholarships under this chapter.

(e) Money in the fund may not be expended, removed, or transferred from the fund by the state board of finance, the budget agency, the commission, or any other state agency for any purpose except for the purposes specified in this chapter.

SECTION 5. IC 21-13-4-2, AS AMENDED BY P.L.63-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. Money in the National Guard tuition supplement program fund shall be used to provide annual scholarships to scholarship applicants ~~in an amount that is equal to one (1) of the following amounts:~~ **under this chapter. Annual scholarships shall be awarded in the following amounts:**

- (1) **A scholarship applicant who attends a state educational institution shall receive a scholarship under this chapter in an**



amount that is equal to one (1) of the following:

(A) If the scholarship applicant does not receive other financial assistance specifically designated for educational costs, the amount equal to a full undergraduate tuition scholarship, regardless as to whether the student uses the scholarship for undergraduate or graduate educational costs, to attend the state educational institution.

~~(2) (B)~~ If the scholarship applicant receives other financial assistance specifically designated for educational costs, the amount:

~~(A) (i)~~ equal to the balance required to attend the state educational institution; and

~~(B) (ii)~~ not to exceed the amount described in ~~subdivision~~ ~~(+)~~ clause (A).

(2) A scholarship applicant who attends an approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C)(i) through IC 21-7-13-6(a)(1)(C)(xxx) shall receive a scholarship under this chapter in an amount equal to the lesser of the following:

(A) If the scholarship applicant receives other financial assistance specifically designated for educational costs, the amount equal to the balance required to attend the approved postsecondary educational institution.

(B) Five thousand dollars (\$5,000).

SECTION 6. IC 21-13-5-1, AS ADDED BY P.L.144-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The National Guard scholarship extension fund is established to provide the financial resources necessary to award tuition scholarships to scholarship extension applicants.

(b) The commission shall administer the fund. The expenses of administering the fund shall be paid from money in the fund.

(c) The fund consists of money transferred to the fund from the National Guard scholarship program reserves.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the fund may not be expended, removed, or transferred from the fund by the state board of finance, the budget agency, the commission, or any other state agency for any purpose except for the purposes specified in this chapter.

SECTION 7. IC 21-14-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 2.5. For purposes of IC 21-14-4, "approved**



postsecondary educational institution" refers to an approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C)(i) through IC 21-7-13-6(a)(1)(C)(xxx).

SECTION 8. IC 21-14-4-1, AS AMENDED BY P.L.112-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) This chapter applies to the following persons:

- (1) A person who:
 - (A) is a pupil at the Soldiers' and Sailors' Children's Home; and
 - (B) was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States.
- (2) A person whose mother or father:
 - (A) served in the armed forces of the United States;
 - (B) received the Purple Heart decoration or was wounded as a result of enemy action;
 - (C) received a discharge or separation from the armed forces other than a dishonorable discharge; and
 - (D) either designated Indiana as home of record at the time of enlistment in the armed forces of the United States or resided in Indiana at least five (5) years before the person first applies for an exemption under this chapter.
- (3) A person whose mother or father:
 - (A) served in the armed forces of the United States during a war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States;
 - (B) suffered a service connected death or disability as determined by the United States Department of Veterans Affairs;
 - (C) received any discharge or separation from the armed forces other than a dishonorable discharge; and
 - (D) either listed Indiana as home of record at the time of enlistment in the armed forces of the United States or resided in Indiana at least five (5) years before the person first applies for an exemption under this chapter.
- (4) A person who:
 - (A) enters active duty service from a permanent home address in Indiana;
 - (B) received a discharge or separation from the armed forces of the United States other than a dishonorable discharge; and



- (C) received the Purple Heart decoration or was wounded as a result of enemy action.
- (5) A person whose mother, father, or spouse:
- (A) served as a public safety officer; and
 - (B) was killed in the line of duty.
- (6) A person whose mother, father, or spouse:
- (A) is a member of the 1977 fund;
 - (B) sustained a catastrophic physical personal injury in the line of duty; and
 - (C) qualifies for benefits under IC 36-8-8-13.3(f) or IC 36-8-8-13.5(m).
- (7) A person whose mother, father, or spouse:
- (A) was a member of the Indiana National Guard; and
 - (B) suffered a service connected death while serving on state active duty (as described in IC 10-16-7-7).
- (8) A person whose mother, father, or spouse:
- (A) was a state police officer; and
 - (B) suffered a permanent and total disability from a catastrophic personal injury that was sustained in the line of duty and permanently prevents the state police officer from performing any gainful work.
- (b) In addition to the eligibility requirements under subsection (a), an individual must meet the following to be eligible for an educational costs exemption under this chapter:
- (1) The individual **meets one (1) of the following:**
 - (A) If the individual will attend a state educational institution, the individual is eligible to pay the resident tuition rate at the state educational institution the individual will attend, as determined by the state educational institution.**
 - (B) If the individual will attend an approved postsecondary educational institution, the individual is a resident of Indiana.**
 - (2) If the individual:
 - (A) qualifies for an exemption under this chapter based on the service of the individual's mother or father; and
 - (B) was adopted by the individual's mother or father described in clause (A);
 the individual was adopted before the individual was eighteen (18) years of age.
 - (3) If the individual qualifies for an exemption under this chapter based on the service of the individual's mother or father, the individual is not more than thirty-two (32) years of age when the



individual first applies and becomes eligible for the exemption under this chapter.

(4) The individual is, after high school graduation, pursuing a prescribed course of study at the state educational institution **or approved postsecondary educational institution.**

(5) ~~After July 1, 2020,~~ The individual maintains satisfactory academic progress, as determined by the state educational institution **or approved postsecondary educational institution.**

SECTION 9. IC 21-14-4-8, AS AMENDED BY P.L.112-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. **(a) This section applies only to an eligible applicant who attends a state educational institution.**

(b) The amount of the exemptions under this chapter is equal to one (1) of the following amounts:

(1) If the applicant does not receive financial assistance specifically designated for educational costs, the amount determined under sections 2 through 6 of this chapter.

(2) If the applicant receives any financial assistance, including federal assistance, specifically designated for educational costs:

(A) the amount determined under sections 2 through 6 of this chapter; minus

(B) the financial assistance specifically designated for educational costs.

SECTION 10. IC 21-14-4-9, AS ADDED BY P.L.191-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) The tuition and fee exemption reimbursement fund is established to provide reimbursement to state educational institutions **and approved postsecondary educational institutions** for tuition and fee remissions listed in IC 21-12-13-1 that were provided to eligible applicants.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.

(c) The fund shall be administered by the commission.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for providing



reimbursement for tuition and fee remissions as provided under subsection (a).

SECTION 11. IC 21-14-4-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 10. (a) An applicant who attends an approved postsecondary educational institution qualifies for an annual award under this chapter if the applicant:**

- (1) attends an approved postsecondary educational institution listed in IC 21-7-13-6(a)(1)(C)(i) through IC 21-7-13-6(a)(1)(C)(xxx);**
- (2) meets the qualification requirements under section 1 of this chapter;**
- (3) graduated from high school after January 1, 2023; and**
- (4) has not received an award toward one hundred twenty-four (124) semester credit hours or its equivalent as determined by the commission.**

(b) An award under this section must be in an amount equal to the lesser of the following:

- (1) If the scholarship applicant receives other financial assistance specifically designated for educational costs, the amount equal to the balance required to attend the approved postsecondary educational institution.**
- (2) Five thousand dollars (\$5,000).**



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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