



January 26, 2024

---

---

## SENATE BILL No. 50

---

DIGEST OF SB 50 (Updated January 24, 2024 2:42 pm - DI 140)

**Citations Affected:** IC 20-26; IC 20-33; IC 31-32; IC 34-46.

**Synopsis:** Chaplains in public schools. Allows a principal or superintendent of a public school, including a charter school, to employ, or approve as a volunteer, a school chaplain if certain requirements are met. Provides that a school chaplain may only provide secular support to a student or an employee of the school unless permission is given by: (1) the student receiving services; (2) the employee of the school receiving services; or (3) a parent or guardian of the student receiving services; to provide nonsecular support. Provides that a school chaplain is not required to divulge privileged or confidential communications with a student under certain circumstances.

**Effective:** July 1, 2024.

---

---

**Donato, Raatz, Deery, Crane,  
Buchanan, Tomes, Rogers**

---

---

January 8, 2024, read first time and referred to Committee on Education and Career Development.  
January 25, 2024, reported favorably — Do Pass.

---

---

SB 50—LS 6218/DI 152





January 26, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## SENATE BILL No. 50

---

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

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

- 1 SECTION 1. IC 20-26-22 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]:  
4 **Chapter 22. School Chaplains**  
5 **Sec. 1. As used in this chapter, "school" includes the following:**  
6 (1) **A school maintained by a school corporation.**  
7 (2) **A charter school.**  
8 **Sec. 2. As used in this chapter, "school chaplain" refers to an**  
9 **individual who meets the qualifications described in section 3 of**  
10 **this chapter and whose primary responsibility is to provide advice,**  
11 **guidance, and support services to students and employees of the**  
12 **school.**  
13 **Sec. 3. A school principal or superintendent may employ, or**  
14 **approve as a volunteer, a school chaplain if the individual:**  
15 (1) **has at least:**  
16 (A) **a master's degree in divinity, theology, religious**  
17 **studies, or a related field; and**

SB 50—LS 6218/DI 152



- 1           **(B) two (2) years of counseling experience;**  
 2           **(2) obtains an expanded criminal history check and expanded**  
 3           **child protection index check under IC 20-26-5-10; and**  
 4           **(3) has never been convicted of an offense requiring**  
 5           **registration as a sex offender as described in IC 11-8-8-4.5.**

6           **Sec. 4. A school chaplain may only provide secular advice,**  
 7           **guidance, and support services to a student or employee of the**  
 8           **school unless:**

- 9           **(1) the student receiving services;**  
 10           **(2) the employee of the school receiving services; or**  
 11           **(3) a parent or guardian of the student receiving services;**  
 12           **provides permission allowing nonsecular advice, guidance, and**  
 13           **support services.**

14           **Sec. 5. Except as provided in IC 20-33-7.5 and IC 31-32-11-1:**

- 15           **(1) communications made by a student to a school chaplain as**  
 16           **a school chaplain are privileged and confidential; and**  
 17           **(2) a school chaplain is not required to disclose**  
 18           **communications described in subdivision (1).**

19           SECTION 2. IC 20-33-7.5-4, AS ADDED BY P.L.248-2023,  
 20           SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21           JULY 1, 2024]: Sec. 4. Nothing in this chapter may be construed to  
 22           require a school psychologist, a school nurse, a school social worker,  
 23           or a school counselor, **or a school chaplain** to violate a federal law or  
 24           regulation.

25           SECTION 3. IC 31-32-11-1, AS AMENDED BY P.L.122-2009,  
 26           SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27           JULY 1, 2024]: Sec. 1. The privileged communication between:

- 28           (1) a husband and wife;  
 29           (2) a health care provider and the health care provider's patient;  
 30           (3) a:  
 31               (A) licensed social worker;  
 32               (B) licensed clinical social worker;  
 33               (C) licensed marriage and family therapist;  
 34               (D) licensed mental health counselor;  
 35               (E) licensed addiction counselor; or  
 36               (F) licensed clinical addiction counselor;  
 37           and a client of any of the professionals described in clauses (A)  
 38           through (F);  
 39           (4) a school counselor and a student; or  
 40           (5) a school psychologist and a student; or  
 41           **(6) a school chaplain and a student;**

42           is not a ground for excluding evidence in any judicial proceeding



1 resulting from a report of a child who may be a victim of child abuse  
2 or neglect or relating to the subject matter of the report or failing to  
3 report as required by IC 31-33.  
4 SECTION 4. IC 34-46-2-11.9 IS ADDED TO THE INDIANA  
5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2024]: **Sec. 11.9. IC 20-26-22-5 (Concerning**  
7 **communications made to a school chaplain).**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 50, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 50 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 9, Nays 4

