



February 8, 2019

SENATE BILL No. 158

DIGEST OF SB 158 (Updated February 7, 2019 9:51 am - DI 125)

Citations Affected: IC 21-22.

Synopsis: Indiana youth service program. Establishes the Indiana youth service program (program) to provide high school graduates with the opportunity to learn various skills and participate in nine months of service at host sites throughout Indiana. Establishes the Indiana youth service program fund (fund). Provides that Ivy Tech Community College shall administer the program. Provides that the state budget agency shall administer the fund.

Effective: July 1, 2019.

**Ruckelshaus, Doriot, Ford J.D.,
Kruse**

January 3, 2019, read first time and referred to Committee on Pensions and Labor.
January 16, 2019, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 7, 2019, amended, reported favorably — Do Pass.

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February 8, 2019

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.

SENATE BILL No. 158

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

- 1 SECTION 1. IC 21-22-7 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]:
4 **Chapter 7. Indiana Youth Service Program**
5 **Sec. 1. This chapter applies to a student entering grade 12 in**
6 **2020 and thereafter.**
7 **Sec. 2. As used in this chapter, "eligible institution" refers to a**
8 **postsecondary educational institution that:**
9 (1) **operates in Indiana;**
10 (2) **is either operated by the state or operated as a nonprofit;**
11 (3) **operates an organized program of postsecondary**
12 **education leading to a technical certificate, nursing diploma,**
13 **or associate or baccalaureate degree; and**
14 (4) **is accredited by:**
15 (A) **a recognized regional accrediting agency;**
16 (B) **the board for proprietary education under**
17 **IC 21-18.5-6;**

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- 1 (C) the Indiana state board of nursing; or
 2 (D) the department of workforce development under
 3 IC 22-4.1-21.

4 **Sec. 3.** As used in this chapter, "program" refers to the Indiana
 5 youth service program established by section 4 of this chapter.

6 **Sec. 4.** The Indiana youth service program is established to do
 7 the following:

- 8 (1) Encourage young people to remain in Indiana after
 9 graduating from high school.
 10 (2) Provide program participants with the skills that will
 11 enable them to successfully make the transition from high
 12 school to:
 13 (A) an institution of higher education; or
 14 (B) the workforce.
 15 (3) Provide a model of social engagement for young people,
 16 and encourage relationships among young people across
 17 diverse communities.
 18 (4) Encourage a culture of civic participation and promote
 19 democracy.

20 Ivy Tech Community College shall administer the program.

21 **Sec. 5.** (a) A selection committee shall review applications and
 22 select potential participants for the program as part of a
 23 competitive application process. The selection committee shall
 24 consist of the following nine (9) members:

- 25 (1) The president of Ivy Tech Community College or the
 26 president's designee, who shall serve as chair.
 27 (2) The commissioner of the department of workforce
 28 development or the commissioner's designee.
 29 (3) The commissioner of the commission for higher education
 30 or the commissioner's designee.
 31 (4) An executive assistant to the governor designated by the
 32 governor.
 33 (5) One (1) member of the house of representatives appointed
 34 by the speaker of the house of representatives.
 35 (6) One (1) member of the house of representatives appointed
 36 by the minority leader of the house of representatives.
 37 (7) One (1) member of the senate appointed by the president
 38 pro tempore of the senate.
 39 (8) One (1) member of the senate appointed by the minority
 40 leader of the senate.
 41 (9) A representative of a nonprofit organization that
 42 specializes in youth services, appointed by the governor.



1 (b) The chair of the selection committee shall establish the
2 meeting times and dates for the selection committee.

3 (c) Each member of the selection committee who is a member of
4 the general assembly is a nonvoting member.

5 (d) Each member of the selection committee who is not a state
6 employee is entitled to the minimum salary per diem provided by
7 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
8 for traveling expenses as provided under IC 4-13-1-4 and other
9 expenses actually incurred in connection with the member's duties
10 as provided in the state policies and procedures established by the
11 Indiana department of administration and approved by the budget
12 agency.

13 (e) Each member of the selection committee who is a state
14 employee but who is not a member of the general assembly is
15 entitled to reimbursement for traveling expenses as provided under
16 IC 4-13-1-4 and other expenses actually incurred in connection
17 with the member's duties as provided in the state policies and
18 procedures established by the Indiana department of
19 administration and approved by the budget agency.

20 (f) Each member of the selection committee who is a member of
21 the general assembly is entitled to receive the same per diem,
22 mileage, and travel allowances paid to legislative members of
23 interim study committees established by the legislative council or
24 the legislative services agency.

25 (g) The expenses of the selection committee shall be paid from
26 the Indiana youth service program fund established under section
27 11 of this chapter.

28 Sec. 6. (a) Except as provided in subsection (b), the selection
29 committee may consider a student's application only if the student
30 meets the following requirements:

31 (1) Is a resident of Indiana.

32 (2) Is entering grade 12 at a:

33 (A) public school, including a charter school;

34 (B) nonpublic school that is accredited by either the state
35 board of education or a national or regional accreditation
36 agency that is recognized by the state board of education;
37 or

38 (C) nonaccredited nonpublic school.

39 (3) Agrees, in writing, together with the student's custodial
40 parents or guardian, that the student will graduate from a
41 secondary school located in Indiana that meets the admission
42 criteria of an eligible institution.



1 **(b) In addition to a student who meets the minimum**
 2 **requirements under subsection (a), the selection committee may**
 3 **consider a student who:**

4 **(1) before or during grade 11 is placed by or with the consent**
 5 **of the department of child services, by a court order, or by a**
 6 **child placing agency in:**

7 **(A) a foster family home;**

8 **(B) the home of a relative or other unlicensed caretaker;**

9 **(C) a child caring institution; or**

10 **(D) a group home;**

11 **(2) meets the requirements in subsection (a)(1) through (a)(2);**
 12 **and**

13 **(3) agrees in writing, together with the student's caseworker**
 14 **(as defined in IC 31-9-2-11) or legal guardian, to the**
 15 **conditions set forth in subsection (a)(3).**

16 **(c) The selection committee shall consider an applicant's**
 17 **curiosity, work ethic, and enthusiasm for serving others in**
 18 **determining whether the applicant may be selected for**
 19 **consideration as a program participant.**

20 **(d) In selecting potential program participants, the selection**
 21 **committee shall strive to ensure that each group of program**
 22 **participants embodies Indiana's socioeconomic, geographic, racial,**
 23 **religious, ethnic, and political diversity.**

24 **Sec. 7. (a) Ivy Tech Community College shall select entities to**
 25 **serve as service host sites for program participants. Ivy Tech**
 26 **Community College shall consider:**

27 **(1) the entity's capacity to engage participants in meaningful**
 28 **work; and**

29 **(2) the entity's ability to ensure a variety of experiences for**
 30 **participants;**

31 **when selecting an entity as a service host site.**

32 **(b) Ivy Tech Community College may also consider the entity's**
 33 **ability to contribute to the costs of hosting program participants,**
 34 **including housing costs, if needed.**

35 **(c) In considering the criteria set forth in subsections (a) and (b),**
 36 **Ivy Tech Community College shall strive to include a diverse array**
 37 **of entities as service host sites, including but not limited to:**

38 **(1) private employers in the areas of:**

39 **(A) advanced manufacturing;**

40 **(B) building and construction;**

41 **(C) health and life sciences;**

42 **(D) information technology and business services;**



- 1 (E) transportation and logistics; and
 2 (F) agriculture;
 3 (2) nonprofit, faith based, and community organizations;
 4 (3) school corporations and charter schools; and
 5 (4) political subdivisions.
- 6 Sec. 8. (a) A program participant may be released from
 7 completing a term of service for compelling personal
 8 circumstances, as determined by the department, or for cause.
- 9 (b) Compelling personal circumstances include those
 10 circumstances beyond the program participant's control,
 11 including:
- 12 (1) a participant's disability or serious illness;
 13 (2) a family member's disability, serious illness, or death; or
 14 (3) conditions attributable to the program or otherwise
 15 unforeseeable and beyond the program participant's control,
 16 such as a natural disaster, a strike, or the relocation of a
 17 spouse.
- 18 (c) Compelling personal circumstances do not include leaving
 19 the program:
- 20 (1) to enroll in school;
 21 (2) to obtain employment; or
 22 (3) because of dissatisfaction with the program.
- 23 (d) A release for cause encompasses any circumstance other
 24 than compelling personal circumstances that warrants an
 25 individual's release from completing a term of service. The
 26 department must release for cause a program participant who is
 27 convicted of a felony or for the sale or distribution of a controlled
 28 substance (as defined in IC 35-48-1-9) during the participant's
 29 term of service.
- 30 Sec. 9. Ivy Tech Community College may adopt policies to
 31 implement the program under this chapter.
- 32 Sec. 10. Ivy Tech Community College shall explore the
 33 possibility of:
- 34 (1) accessing federal or other grant funding for the program;
 35 and
 36 (2) awarding program participants with academic credit,
 37 certification, or scholarships for service in the program.
- 38 Sec. 11. (a) The Indiana youth service program fund is
 39 established to provide the financial resources necessary to fund the
 40 program, which include the following:
- 41 (1) Staff salaries.
 42 (2) The cost of outreach efforts to advertise the program to



- 1 potential program participants and potential service host
 2 sites.
- 3 (3) Food, transportation, housing, and the stipend for
 4 program participants, which may be offset by service host
 5 sites.
- 6 (4) The cost of the orientation week and monthly seminars.
- 7 (b) The state budget agency shall administer the fund.
- 8 (c) The expenses of administering the fund shall be paid from
 9 money in the fund.
- 10 (d) The fund consists of the following:
- 11 (1) Appropriations by the general assembly.
- 12 (2) Donations, gifts, grants, and bequests to the fund.
- 13 (3) Earnings on assets of the fund.
- 14 (4) Money transferred to the fund from other funds.
- 15 (5) Money from any other source deposited in the fund.
- 16 (e) The treasurer of state shall invest the money not currently
 17 needed to meet the obligations of the fund in the same manner as
 18 other public funds may be invested.
- 19 (f) Money in the fund at the end of a state fiscal year does not
 20 revert to the state general fund.
- 21 Sec. 12. (a) Ivy Tech Community College shall maintain
 22 complete and accurate records in implementing the program,
 23 including records of the following:
- 24 (1) The number of applicants for the program.
- 25 (2) The entities with which program participants engage or
 26 entities that sponsor or partner with the program.
- 27 (3) The institutions, if any, that awarded academic credit for
 28 a program participant's service.
- 29 (4) Any other information collected concerning the program.
- 30 (b) Not later than November 1, 2019, and each November 1
 31 thereafter, the department shall submit a report to the governor
 32 and, in an electronic format under IC 5-14-6, to the general
 33 assembly summarizing activities described in subsection (a) from
 34 the previous year.
- 35 Sec. 15. This chapter expires July 1, 2024.



COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, after line 42, begin a new paragraph and insert:

"(c) Each member of the selection committee who is a member of the general assembly is a nonvoting member.

(d) Each member of the selection committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(e) Each member of the selection committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) Each member of the selection committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council or the legislative services agency.

(g) The expenses of the selection committee shall be paid from the Indiana youth service program fund established under section 13 of this chapter."

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 158 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 6, Nays 5.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 3, begin a new paragraph and insert:

"SECTION 1. IC 21-22-7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:".

Page 1, line 4, delete "27." and insert "7."

Page 2, line 20, delete "The department" and insert "**Ivy Tech Community College**".

Page 2, line 24, delete "eight (8)" and insert "**nine (9)**".

Page 2, between lines 24 and 25, begin a new line block indented and insert:

"(1) The president of Ivy Tech Community College or the president's designee, who shall serve as chair."

Page 2, line 25, delete "(1)" and insert "**(2)**".

Page 2, line 25, after "department" insert "**of workforce development**".

Page 2, line 26, delete "designee, who shall serve as chair." and insert "**designee**".

Page 2, line 27, delete "(2)" and insert "**(3)**".

Page 2, line 29, delete "(3)" and insert "**(4)**".

Page 2, line 31, delete "(4)" and insert "**(5)**".

Page 2, line 33, delete "(5)" and insert "**(6)**".

Page 2, line 35, delete "(6)" and insert "**(7)**".

Page 2, line 37, delete "(7)" and insert "**(8)**".

Page 2, line 39, delete "(8)" and insert "**(9)**".

Page 3, line 25, delete "13" and insert "**11**".

Page 4, delete lines 22 through 31.

Page 4, line 32, delete "8." and insert "7."

Page 4, line 32, delete "The department" and insert "**Ivy Tech Community College**".

Page 4, line 33, delete "The department" and insert "**Ivy Tech Community College**".

Page 4, line 39, delete "The department" and insert "**Ivy Tech Community College**".

Page 5, line 1, delete "the department" and insert "**Ivy Tech Community College**".

Page 5, delete lines 13 through 18.



Page 5, line 19, delete "10." and insert "8."

Page 6, delete lines 1 through 16, begin a new paragraph and insert:

"Sec. 9. Ivy Tech Community College may adopt policies to implement the program under this chapter."

Page 6, line 17, delete "12." and insert "10."

Page 6, line 17, delete "The department" and insert **"Ivy Tech Community College"**.

Page 6, line 22, delete "13." and insert "11."

Page 6, line 33, delete "department" and insert **"state budget agency"**.

Page 7, line 4, after "fund" insert ".".

Page 7, line 4, delete "but remains available to the".

Page 7, delete line 5.

Page 7, line 6, delete "14." and insert "12."

Page 7, line 6, delete "The department" and insert **"Ivy Tech Community College"**.

Page 7, line 7, after "program" insert ",".

Page 7, line 7, delete "and the Indiana".

Page 7, line 8, delete "youth service program fund,".

Page 7, delete lines 9 through 11.

Page 7, line 12, delete "(2)" and insert "(1)".

Page 7, line 13, delete "(3)" and insert "(2)".

Page 7, line 13, delete "with which program participants are placed." and insert **"with which program participants engage or entities that sponsor or partner with the program."**

Page 7, line 14, delete "(4)" and insert "(3)".

Page 7, line 16, delete "(5)" and insert "(4)".

Page 7, line 16, delete "the fund or".

and when so amended that said bill do pass.

(Reference is to SB 158 as printed January 17, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 2.

