

SENATE BILL No. 184

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-2.2-7; IC 4-15; IC 33-24-14.

Synopsis: Diversity training for state employees. Requires the legislative council, the director of the state personnel department, and the chief administrative officer of the office of judicial administration to develop diversity training programs for their respective branches of state government. Requires each member of the general assembly, each state officer, each judicial officer, and each employee of the legislative, executive, and judicial branches of state government to complete three hours of diversity training. Specifies the deadlines for developing and completing the training. Specifies the information that must be provided in the training. Authorizes the use of an online training system.

Effective: Upon passage.

Melton

January 3, 2019, read first time and referred to Committee on Judiciary.



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. 184

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

1 SECTION 1. IC 2-2.2-7 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 7. Diversity Training**

5 **Sec. 1. This chapter does not apply to the following:**

- 6 (1) **The executive department of state government.**
7 (2) **The judicial department of state government.**
8 (3) **A state educational institution.**
9 (4) **A political subdivision.**

10 **Sec. 2. As used in this chapter, "professional staff of the general**
11 **assembly" has the meaning set forth in IC 2-3-10-1(2).**

12 **Sec. 3. Before November 1, 2019, the legislative council shall**
13 **develop a diversity training program enabling members of the**
14 **general assembly and the professional staff of the general assembly**
15 **to satisfy the requirements of section 4 of this chapter. The**
16 **diversity training developed under this section must include**
17 **information concerning the following:**



1 (1) The federal and Indiana statutes concerning
2 discrimination committed against members of protected
3 classes.

4 (2) The remedies available to victims of discrimination.

5 (3) Standards for working with and serving persons from
6 diverse populations.

7 (4) Strategies for addressing differences that may arise from
8 diverse work environments.

9 **Sec. 4. Each member of the general assembly and each member
10 of the professional staff of the general assembly shall complete
11 three (3) hours of diversity training through a program developed
12 under section 3 of this chapter. The training required by this
13 section must be completed before the following deadlines:**

14 (1) July 1, 2020, in the case of an individual who:

15 (A) serves as a member of the general assembly on
16 January 1, 2020; or

17 (B) is employed as a member of the professional staff of the
18 general assembly on January 1, 2020.

19 (2) The six (6) month anniversary date of beginning a position
20 in the legislative branch of state government, in the case of an
21 individual who:

22 (A) is sworn in as a member of the general assembly after
23 January 1, 2020; or

24 (B) begins employment as a member of the professional
25 staff of the general assembly after January 1, 2020.

26 **Sec. 5. The format of training provided under this chapter may
27 include any combination of the following:**

28 (1) In-person presentations.

29 (2) An electronic or technology based medium, including
30 self-review modules available on an online system.

31 SECTION 2. IC 4-15-12-7 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. The director of
33 the state personnel department shall:

34 (1) create an overall affirmative action plan for all state agencies;

35 (2) make changes in personnel procedures, rules, and programs in
36 support of the affirmative action policy;

37 (3) provide expeditiously such applicant and employee data and
38 information as may be requested by the affirmative action officer;
39 and

40 (4) develop the diversity training program required by
41 IC 4-15-18-5; and

42 (5) report at least annually to the governor:



- 1 (A) the state agencies that have approved affirmative action
 2 plans and those that do not have approved affirmative action
 3 plans; and
 4 (B) the progress made by state agencies in achieving
 5 affirmative action goals and whether that progress is
 6 satisfactory or unsatisfactory.
- 7 SECTION 3. IC 4-15-18 IS ADDED TO THE INDIANA CODE AS
 8 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
 9 PASSAGE]:
- 10 **Chapter 18. Diversity Training**
- 11 **Sec. 1. This chapter does not apply to the following:**
- 12 (1) The general assembly or the professional staff of the
 13 general assembly (as defined in IC 2-3-10-1(2)).
 14 (2) The judicial department of state government.
 15 (3) A state educational institution.
 16 (4) A political subdivision.
- 17 **Sec. 2. As used in this chapter, "state agency" means an**
 18 **authority, a board, a branch, a commission, a committee, a**
 19 **department, a division, or another instrumentality of the executive,**
 20 **including the administrative, department of state government. The**
 21 **term includes the following:**
- 22 (1) The office of a state officer.
 23 (2) A body corporate and politic of the state created by state
 24 statute.
- 25 **Sec. 3. As used in this chapter, "state employee" means either**
 26 **of the following:**
- 27 (1) A state officer.
 28 (2) An employee of a state agency.
- 29 **Sec. 4. As used in this chapter, "state officer" has the meaning**
 30 **set forth in IC 4-2-6-1(a)(19).**
- 31 **Sec. 5. Before November 1, 2019, the director of the state**
 32 **personnel department shall develop a diversity training program**
 33 **enabling state employees to satisfy the requirements of section 6 of**
 34 **this chapter. The diversity training developed under this section**
 35 **must include information concerning the following:**
- 36 (1) The federal and Indiana statutes concerning
 37 discrimination committed against members of protected
 38 classes.
 39 (2) The remedies available to victims of discrimination.
 40 (3) Standards for working with and serving persons from
 41 diverse populations.
 42 (4) Strategies for addressing differences that may arise from



1 diverse work environments.

2 **Sec. 6. Each state employee shall complete three (3) hours of**
 3 **diversity training through a program developed under section 5 of**
 4 **this chapter. The training required by this section must be**
 5 **completed before the following deadlines:**

6 (1) **July 1, 2020, in the case of an individual who:**

7 (A) **serves as a state officer on January 1, 2020; or**

8 (B) **is employed by a state agency on January 1, 2020.**

9 (2) **The six (6) month anniversary date of beginning a position**
 10 **in the executive branch of state government, in the case of an**
 11 **individual who:**

12 (A) **is sworn in as a state officer after January 1, 2020; or**

13 (B) **begins employment with a state agency after January**
 14 **1, 2020.**

15 **Sec. 7. The format of training provided under this chapter may**
 16 **include any combination of the following:**

17 (1) **In-person presentations.**

18 (2) **An electronic or technology based medium, including**
 19 **self-review modules available on an online system.**

20 SECTION 4. IC 33-24-14 IS ADDED TO THE INDIANA CODE
 21 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]:

23 **Chapter 14. Diversity Training**

24 **Sec. 1. This chapter does not apply to the following:**

25 (1) **The general assembly or the professional staff of the**
 26 **general assembly (as defined in IC 2-3-10-1(2)).**

27 (2) **The executive department of state government.**

28 (3) **A state educational institution.**

29 (4) **A political subdivision.**

30 **Sec. 2. As used in this chapter, "chief administrative officer"**
 31 **refers to the chief administrative officer of the office of judicial**
 32 **administration created under IC 33-24-6.**

33 **Sec. 3. (a) As used in this chapter, "judicial branch employee"**
 34 **means an individual employed by any of the following:**

35 (1) **The supreme court.**

36 (2) **The court of appeals.**

37 (3) **The tax court.**

38 (4) **The office of judicial administration.**

39 (5) **The prosecuting attorneys council.**

40 (6) **The public defender council.**

41 **(b) The term does not include any of the following individuals:**

42 (1) **A judge of a court authorized under IC 33-33, IC 33-34, or**



1 **IC 33-35.**

2 **(2) A county prosecuting attorney.**

3 **(3) A county public defender.**

4 **(4) A circuit court clerk.**

5 **(5) An employee of an individual or court described in**
 6 **subdivisions (1) through (4).**

7 **Sec. 4. As used in this chapter, "judicial officer" means any of**
 8 **the following:**

9 **(1) A justice of the supreme court.**

10 **(2) A judge of the court of appeals.**

11 **(3) A judge of the tax court.**

12 **Sec. 5. Before November 1, 2019, the chief administrative officer**
 13 **shall develop a diversity training program enabling judicial**
 14 **officers and judicial branch employees to satisfy the requirements**
 15 **of section 6 of this chapter. The diversity training developed under**
 16 **this section must include information concerning the following:**

17 **(1) The federal and Indiana statutes concerning**
 18 **discrimination committed against members of protected**
 19 **classes.**

20 **(2) The remedies available to victims of discrimination.**

21 **(3) Standards for working with and serving persons from**
 22 **diverse populations.**

23 **(4) Strategies for addressing differences that may arise from**
 24 **diverse work environments.**

25 **Sec. 6. Each judicial officer and judicial branch employee shall**
 26 **complete three (3) hours of diversity training through a program**
 27 **developed under section 5 of this chapter. The training required by**
 28 **this section must be completed before the following deadlines:**

29 **(1) July 1, 2020, in the case of an individual who:**

30 **(A) serves as a judicial officer on January 1, 2020; or**

31 **(B) is a judicial branch employee on January 1, 2020.**

32 **(2) The six (6) month anniversary date of beginning a position**
 33 **in the judicial department of state government, in the case of**
 34 **an individual who:**

35 **(A) is sworn in as a judicial officer after January 1, 2020;**

36 **or**

37 **(B) becomes a judicial branch employee after January 1,**
 38 **2020.**

39 **Sec. 7. The format of training provided under this chapter may**
 40 **include any combination of the following:**

41 **(1) In-person presentations.**

42 **(2) An electronic or technology based medium, including**



1 **self-review modules available on an online system.**
2 **SECTION 5. An emergency is declared for this act.**

