



March 26, 2019

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# ENGROSSED SENATE BILL No. 216

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DIGEST OF SB 216 (Updated March 20, 2019 12:41 pm - DI 116)

**Citations Affected:** IC 10-12; IC 11-8; IC 21-12; IC 21-14; IC 35-52.

**Synopsis:** Educational costs exemptions. Amends the eligibility requirements for educational costs exemptions for children of and certain individuals related to certain veterans. Provides that a spouse or dependent of a qualified veteran is eligible to pay the resident tuition rate of a state educational institution if certain requirements are met. Removes the following: (1) Provisions concerning cumulative grade point average requirements for individuals who qualify for an exemption because of a father or mother (or other relation for certain individuals) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011. (2) A provision requiring the commission for higher education to consider other higher education financial assistance in determining the amount of an exemption. (Another provision in current law requires any other financial assistance specifically designated for educational costs to be  
(Continued next page)

**Effective:** July 1, 2019.

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**Boots, Raatz, Crane, Kruse,  
Randolph Lonnie M, Spartz**

(HOUSE SPONSORS — SULLIVAN, LAUER)

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January 3, 2019, read first time and referred to Committee on Education and Career Development.

January 31, 2019, reported favorably — Do Pass.

February 5, 2019, read second time, ordered engrossed. Engrossed.

February 7, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Education.

March 25, 2019, amended, reported — Do Pass.

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ES 216—LS 6431/DI 110



## Digest Continued

subtracted from the amount an applicant is exempt from paying.) Repeals and relocates, with changes to the eligibility requirements, the following categories of individuals exempted from educational costs at state educational institutions: (1) Children or surviving spouses of public safety officers. (2) Children or spouses of members of the 1977 police officers' and firefighters' pension and disability fund who sustain a catastrophic physical personal injury in the line of duty. (3) Children and spouses of Indiana National Guard members who suffer a service connected death while serving on state active duty (including a provision that a determination as to whether an applicant is eligible for an educational costs exemption is vested exclusively in the military department and a provision concerning appealing a determination by the military department). (4) Purple Heart recipients (and adds individuals who were wounded as a result of enemy action). Repeals provisions that list tuition and fee exemptions and reductions outside of the higher education provisions. Makes conforming changes.

**ES 216—LS 6431/DI 110**



March 26, 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.

## ENGROSSED SENATE BILL No. 216

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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 10-12-2-6 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The department  
3 may establish, operate, and make necessary contributions to a  
4 dependent's pension reserve account for the payment of pensions to  
5 dependent parents, surviving spouses, and dependent unmarried  
6 children of employee beneficiaries who are killed in the line of duty.  
7 (b) The maximum monthly pension amount payable to dependent  
8 mothers, dependent fathers, and surviving spouses:  
9 (1) may not exceed the then current basic monthly pension  
10 amount paid to retirees; and  
11 (2) shall cease with the last payment before the dependent parent's  
12 or surviving spouse's death.  
13 (c) Except as provided in subsections (d) through (f), the maximum  
14 monthly pension amount payable to each dependent unmarried child  
15 may not exceed thirty percent (30%) of the current basic monthly

ES 216—LS 6431/DI 110



1 pension amount paid to retirees. The payment shall cease with the last  
 2 payment before the child's marriage or nineteenth birthday, whichever  
 3 occurs first.

4 (d) The total monthly pension amount paid to all dependent  
 5 unmarried children of an employee beneficiary may not exceed the  
 6 current basic monthly amount paid to retirees.

7 (e) Each unmarried dependent child who is at least nineteen (19)  
 8 years of age but less than twenty-three (23) years of age is eligible to  
 9 receive a pension payment while enrolled as a full-time student in a  
 10 school, college, or university.

11 (f) A dependent child, married or unmarried, of an employee  
 12 beneficiary who is killed in the line of duty is eligible ~~to attend any~~  
 13 ~~Indiana state supported college or university tuition free. for an~~  
 14 **educational costs exemption as provided under IC 21-14-4.**

15 (g) All dependent mothers, dependent fathers, surviving spouses,  
 16 and dependent children who received a dependent pension on June 30,  
 17 1969, shall receive a pension calculated as provided by this section  
 18 beginning on July 1, 1969. Any surviving spouse electing to, or who  
 19 has previously elected to, receive joint survivorship benefits instead of  
 20 pension payments is eligible to receive the full pension benefit.

21 SECTION 2. IC 10-12-2-11, AS AMENDED BY P.L.99-2007,  
 22 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2019]: Sec. 11. The child or spouse of an employee  
 24 beneficiary who has a permanent and total disability from a  
 25 catastrophic personal injury that was sustained in the line of duty and  
 26 permanently prevents the employee beneficiary from performing any  
 27 gainful work ~~may not be required to pay tuition or mandatory fees at~~  
 28 ~~any state supported college, university, or technical school if:~~

29 (1) the child is less than twenty-three (23) years of age and is a  
 30 full-time student pursuing a prescribed course of study; or

31 (2) the spouse is pursuing a prescribed course of study toward an  
 32 undergraduate degree.

33 **is eligible for an educational costs exemption as provided under**  
 34 **IC 21-14-4.**

35 SECTION 3. IC 11-8-2-12, AS AMENDED BY P.L.2-2007,  
 36 SECTION 150, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2019]: Sec. 12. Each child and surviving spouse  
 38 of a hazardous duty employee of the department who:

39 (1) works within a prison or juvenile facility; or

40 (2) performs parole or emergency response operations and  
 41 functions;

42 and dies in the line of duty is eligible ~~to attend any state educational~~



1 institution under IC 21-14-6 without paying tuition or mandatory fees:  
 2 **for an educational costs exemption as provided under IC 21-14-4.**

3 SECTION 4. IC 21-12-13-1, AS AMENDED BY P.L.191-2017,  
 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2019]: Sec. 1. (a) This section applies to the following  
 6 scholarships and tuition and fee remission statutes:

7 (1) IC 10-12-2-6.

8 (2) IC 10-12-2-11.

9 (3) IC 10-17-7.

10 (4) IC 21-14-4.

11 ~~(5) IC 21-14-6.~~

12 ~~(6) IC 21-14-6.5.~~

13 ~~(7) IC 21-14-7.~~

14 ~~(8) IC 21-14-10.~~

15 (b) Except as provided in subsection (c), a grant or reduction in  
 16 tuition or fees, including all renewals and extensions, under any of the  
 17 laws listed in subsection (a) may not exceed one hundred twenty-four  
 18 (124) undergraduate credit hours or its equivalent, as determined by the  
 19 commission and must be used within eight (8) years after the date the  
 20 individual first applies and becomes eligible for benefits under the  
 21 applicable law.

22 (c) The commission may, subject to availability of funds, extend  
 23 eligibility under subsection (b) for a recipient who used a grant or  
 24 reduction in tuition or fees under any of the statutes listed in subsection  
 25 (a) at a postsecondary educational institution that has closed. The  
 26 extension of eligibility may not exceed the number of credit hours used  
 27 by the recipient at the postsecondary educational institution that closed.

28 SECTION 5. IC 21-14-1-2.2, AS ADDED BY P.L.161-2017,  
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2019]: Sec. 2.2. For purposes of ~~IC 21-14-6.5~~, **IC 21-14-4**,  
 31 "1977 fund" refers to the 1977 police officers' and firefighters' pension  
 32 and disability fund established by IC 36-8-8-4.

33 SECTION 6. IC 21-14-1-4, AS AMENDED BY P.L.161-2017,  
 34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2019]: Sec. 4. "Eligible applicant"

36 ~~(1) for purposes of IC 21-14-4~~, refers to a person who is eligible  
 37 for an educational costs exemption for ~~children of veterans~~ under  
 38 IC 21-14-4.

39 ~~(2) for purposes of IC 21-14-6~~, refers to a person who is eligible  
 40 for an educational costs exemption for the children or surviving  
 41 spouse of a public safety officer under IC 21-14-6;

42 ~~(3) for purposes of IC 21-14-6.5~~; refers to a person who is eligible



1 under IC 21-14-6.5 for an educational costs exemption for the  
 2 children or spouse of a member of the 1977 police officers' and  
 3 firefighters' pension and disability fund who sustains a  
 4 catastrophic physical personal injury in the line of duty;

5 (4) for purposes of IC 21-14-7; refers to a person who is eligible  
 6 for an educational costs exemption for children and spouses of  
 7 National Guard members under IC 21-14-7; and

8 (5) for purposes of IC 21-14-10; refers to a person who is eligible  
 9 for an educational costs exemption for Purple Heart recipients  
 10 under IC 21-14-10.

11 SECTION 7. IC 21-14-3 IS REPEALED [EFFECTIVE JULY 1,  
 12 2019]. (Tuition and Fee Exemptions and Reductions Outside This  
 13 Article).

14 SECTION 8. IC 21-14-4-1, AS AMENDED BY P.L.6-2012,  
 15 SECTION 148, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) This chapter applies to the  
 17 following persons:

18 (1) A person who:

19 (A) is a pupil at the Soldiers' and Sailors' Children's Home;

20 **and**

21 (B) was admitted to the Soldiers' and Sailors' Children's Home  
 22 because the person was related to a member of the armed  
 23 forces of the United States.

24 ~~(C) is eligible to pay the resident tuition rate at the state  
 25 educational institution the person will attend as determined by  
 26 the institution; and~~

27 ~~(D) possesses the requisite academic qualifications.~~

28 (2) A person

29 (A) whose mother or father:

30 (i) (A) served in the armed forces of the United States;

31 (ii) (B) received the Purple Heart decoration or was wounded  
 32 as a result of enemy action;

33 (iii) (C) received a discharge or separation from the armed  
 34 forces other than a dishonorable discharge; and

35 (iv) (D) either designated Indiana as home of record at the  
 36 time of enlistment in the armed forces of the United States or  
 37 resided in Indiana at least five (5) years before the person first  
 38 applies for **benefits an exemption** under this chapter.

39 ~~(B) who is eligible to pay the resident tuition rate at the state  
 40 educational institution the person will attend as determined by  
 41 the institution;~~

42 ~~(C) who possesses the requisite academic qualifications;~~



- 1           (Ⓓ) who, if the person was adopted by the person's mother or  
 2           father, was adopted before the person was eighteen (18) years  
 3           of age; and  
 4           (Ⓔ) who is not more than thirty-two (32) years of age when the  
 5           person first applies and becomes eligible for benefits under  
 6           this chapter.
- 7           (3) A person  
 8           (A) whose mother or father:  
 9           (i) (A) served in the armed forces of the United States during  
 10           a war or performed duty equally hazardous that was  
 11           recognized by the award of a service or campaign medal of the  
 12           United States;  
 13           (ii) (B) suffered a service connected death or disability as  
 14           determined by the United States Department of Veterans  
 15           Affairs;  
 16           (iii) (C) received any discharge or separation from the armed  
 17           forces other than a dishonorable discharge; and  
 18           (iv) (D) either listed Indiana as home of record at the time of  
 19           enlistment in the armed forces of the United States or resided  
 20           in Indiana at least five (5) years before the person first applies  
 21           for **benefits an exemption** under this chapter.  
 22           (Ⓕ) who is eligible to pay the resident tuition rate at the state  
 23           educational institution the person will attend; as determined by  
 24           the institution;  
 25           (Ⓖ) who possesses the requisite academic qualifications;  
 26           (Ⓗ) who, if the person was adopted by the person's mother or  
 27           father, was adopted before the person was eighteen (18) years  
 28           of age; and  
 29           (Ⓘ) who is not more than thirty-two (32) years of age when the  
 30           person first applies and becomes eligible for benefits under  
 31           this chapter.
- 32           (4) A person who:  
 33           (A) enters active duty service from a permanent home  
 34           address in Indiana;  
 35           (B) received a discharge or separation from the armed  
 36           forces of the United States other than a dishonorable  
 37           discharge; and  
 38           (C) received the Purple Heart decoration or was wounded  
 39           as a result of enemy action.
- 40           (5) A person whose mother, father, or spouse:  
 41           (A) served as a public safety officer; and  
 42           (B) was killed in the line of duty.



1           **(6) A person whose mother, father, or spouse:**

2               **(A) is a member of the 1977 fund;**

3               **(B) sustained a catastrophic physical personal injury in the**  
4               **line of duty; and**

5               **(C) qualifies for benefits under IC 36-8-8-13.3(f) or**  
6               **IC 36-8-8-13.5(m).**

7           **(7) A person whose mother, father, or spouse:**

8               **(A) was a member of the Indiana National Guard; and**

9               **(B) suffered a service connected death while serving on**  
10              **state active duty (as described in IC 10-16-7-7).**

11          **(8) A person whose mother, father, or spouse:**

12              **(A) was a state police officer; and**

13              **(B) suffered a permanent and total disability from a**  
14              **catastrophic personal injury that was sustained in the line**  
15              **of duty and permanently prevents the state police officer**  
16              **from performing any gainful work.**

17          **(b) In addition to the eligibility requirements under subsection**  
18          **(a), an individual must meet the following to be eligible for an**  
19          **educational costs exemption under this chapter:**

20              **(1) The individual is eligible to pay the resident tuition rate at**  
21              **the state educational institution the individual will attend, as**  
22              **determined by the state educational institution.**

23              **(2) If the individual:**

24                  **(A) qualifies for an exemption under this chapter based on**  
25                  **the service of the individual's mother or father; and**

26                  **(B) was adopted by the individual's mother or father**  
27                  **described in clause (A);**

28              **the individual was adopted before the individual was eighteen**  
29              **(18) years of age.**

30              **(3) If the individual qualifies for an exemption under this**  
31              **chapter based on the service of the individual's mother or**  
32              **father, the individual is not more than thirty-two (32) years of**  
33              **age when the individual first applies and becomes eligible for**  
34              **the exemption under this chapter.**

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

38              **(5) After July 1, 2020, the individual maintains satisfactory**  
39              **academic progress, as determined by the state educational**  
40              **institution.**

41              SECTION 9. IC 21-14-4-2, AS AMENDED BY P.L.217-2015,  
42              SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE





1 JULY 1, 2019]: Sec. 2. (a) Subject to this section and section 2.5 of this  
 2 chapter, an eligible applicant is entitled to enter, remain, and receive  
 3 instruction in a state educational institution upon the same conditions,  
 4 qualifications, and regulations prescribed for other applicants for  
 5 admission to or scholars in the state educational institutions, without  
 6 the payment of any educational costs for one hundred twenty-four (124)  
 7 semester credit hours in the state educational institution.

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

12 (c) ~~This subsection applies only to an individual who qualifies for~~  
 13 ~~a benefit under this chapter because of a father or mother (or in the~~  
 14 ~~case of section 1(1) of this chapter, a related member) who enlisted or~~  
 15 ~~otherwise initially served in the armed forces of the United States after~~  
 16 ~~June 30, 2011. This subsection applies to a student who initially enrolls~~  
 17 ~~in an eligible institution for a semester (or its equivalent) beginning~~  
 18 ~~after June 30, 2012. Subject to subsection (d), any benefits awarded~~  
 19 ~~under this chapter may not be renewed; subject to subsections (a) and~~  
 20 ~~(b), if the eligible individual fails to maintain at least a cumulative~~  
 21 ~~grade point average that the eligible institution determines is~~  
 22 ~~satisfactory academic progress.~~

23 (d) ~~After the first semester or its equivalent at the eligible institution~~  
 24 ~~that a person does not achieve the requisite cumulative grade point~~  
 25 ~~average specified in subsection (c), the person is considered to be on~~  
 26 ~~probation and must achieve the requisite cumulative grade point~~  
 27 ~~average by the next semester or its equivalent at the eligible institution~~  
 28 ~~in order to continue to receive benefits under this chapter.~~

29 (e) ~~(c)~~ Notwithstanding any other provision of this chapter or  
 30 another law, a change in the criteria for or the amount of a **benefit an**  
 31 **exemption** awarded under this chapter enacted in the 2011 session of  
 32 the general assembly applies only to an individual who qualifies for a  
 33 **benefit an exemption** under this chapter because of a father or mother  
 34 (or in the case of section ~~1(1)~~ **1(a)(1)** of this chapter, a related member)  
 35 who enlisted or otherwise initially served in the armed forces of the  
 36 United States after June 30, 2011.

37 SECTION 10. IC 21-14-4-2.5, AS ADDED BY P.L.169-2011,  
 38 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2019]: Sec. 2.5. (a) This section applies to an individual who  
 40 qualifies as an eligible applicant under section ~~1(3)~~ **1(a)(3)** of this  
 41 chapter because the individual's father or mother:

42 (1) enlisted or otherwise initially served in the armed forces of the



- 1 United States after June 30, 2011; and  
 2 (2) suffered a disability as determined by the United States  
 3 Department of Veterans Affairs.
- 4 (b) This ~~subsection~~ **section** does not apply to an individual who:  
 5 (1) is an eligible applicant under section ~~†(3)~~ **1(a)(3)** of this  
 6 chapter; and  
 7 (2) qualifies as an eligible applicant under section ~~†(1)~~ **1(a)(1)** or  
 8 ~~†(2)~~ **1(a)(2)** of this chapter.
- 9 (c) Subject to subsection (d) and section 2(b) of this chapter, the  
 10 eligible applicant is entitled to a reduction in the educational costs that  
 11 would otherwise apply as follows:  
 12 (1) If the individual's father or mother suffered a disability as  
 13 determined by the United States Department of Veterans Affairs  
 14 with a rating of eighty percent (80%) or more, the individual is  
 15 entitled to a one hundred percent (100%) reduction in education  
 16 costs.  
 17 (2) If the individual's father or mother suffered a disability as  
 18 determined by the United States Department of Veterans Affairs  
 19 with a rating of less than eighty percent (80%), the individual is  
 20 entitled to a reduction in education costs equal to the sum of:  
 21 (A) twenty percent (20%); plus  
 22 (B) the disability rating of the individual's father or mother.
- 23 (d) The latest disability rating determined by the United States  
 24 Department of Veterans Affairs for an individual's father or mother  
 25 shall be used to compute the percentage by which education costs are  
 26 reduced under this section. If the disability rating of the individual's  
 27 father or mother changes after the beginning of an academic semester,  
 28 quarter, or other period for which educational costs have been reduced  
 29 under this section, the change in disability rating shall be applied  
 30 beginning with the immediately following academic semester, quarter,  
 31 or other period.
- 32 SECTION 11. IC 21-14-4-5, AS AMENDED BY P.L.169-2011,  
 33 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2019]: Sec. 5. (a) **This subsection applies to an applicant**  
 35 **described in section 1(a)(1), 1(a)(2), 1(a)(3), or 1(a)(4) of this**  
 36 **chapter. A determination of eligibility for higher education benefits**  
 37 **authorized as to whether an applicant is eligible for an educational**  
 38 **costs exemption** under this chapter is vested exclusively in the Indiana  
 39 department of veterans' affairs. ~~Any~~ **An** applicant for ~~benefits under~~  
 40 ~~this chapter~~ **an exemption under this chapter** may make a written  
 41 request for a determination of eligibility by the Indiana department of  
 42 veterans' affairs. The director or deputy director of the Indiana



1 department of veterans' affairs shall make a written determination of  
 2 eligibility in response to each request. ~~In determining the amount of an~~  
 3 ~~applicant's benefit, the commission shall consider other higher~~  
 4 ~~education financial assistance in conformity with this chapter.~~

5 **(b) This subsection applies to an applicant described in section**  
 6 **1(a)(7) of this chapter. A determination as to whether an applicant**  
 7 **is eligible for an educational costs exemption under this chapter is**  
 8 **vested exclusively in the military department established by**  
 9 **IC 10-16-2-1. An applicant for an exemption under this chapter**  
 10 **must make a written request to the adjutant general for a**  
 11 **determination of the applicant's eligibility. In response to each**  
 12 **request for an exemption under this chapter, the adjutant general**  
 13 **shall make a written determination of the applicant's eligibility.**

14 ~~(b) (c)~~ The commission shall administer the ~~benefits exemptions~~  
 15 and ensure compliance with this chapter.

16 SECTION 12. IC 21-14-4-6, AS AMENDED BY P.L.169-2011,  
 17 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2019]: Sec. 6. **(a)** An appeal from an adverse determination  
 19 under section 5(a) of this chapter must be made in writing to the  
 20 veterans' affairs commission not more than fifteen (15) working days  
 21 following the applicant's receipt of the determination. A final order  
 22 must be made by a simple majority of the veterans' affairs commission  
 23 not more than fifteen (15) days following receipt of the written appeal.

24 **(b) An appeal from an adverse determination under section 5(b)**  
 25 **of this chapter must be made in writing to the military department**  
 26 **established by IC 10-16-2-1 not more than fifteen (15) working**  
 27 **days following the applicant's receipt of the determination. A final**  
 28 **order must be made not more than fifteen (15) days following**  
 29 **receipt of the written appeal.**

30 SECTION 13. IC 21-14-4-8, AS AMENDED BY P.L.169-2011,  
 31 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2019]: Sec. 8. The amount of the ~~benefits exemptions~~ under  
 33 this chapter is equal to one (1) of the following amounts:

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

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

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

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



1 SECTION 14. IC 21-14-6 IS REPEALED [EFFECTIVE JULY 1,  
2 2019]. (Tuition and Fee Exemption for Children and Surviving Spouse  
3 of Public Safety Officer Killed in the Line of Duty).

4 SECTION 15. IC 21-14-6.5 IS REPEALED [EFFECTIVE JULY 1,  
5 2019]. (Tuition and Fee Exemption for Children and Spouse of 1977  
6 Fund Member Who Sustains a Catastrophic Physical Personal Injury).

7 SECTION 16. IC 21-14-7 IS REPEALED [EFFECTIVE JULY 1,  
8 2019]. (Tuition and Fee Exemption for Children and Spouses of  
9 National Guard Members).

10 SECTION 17. IC 21-14-10 IS REPEALED [EFFECTIVE JULY 1,  
11 2019]. (Tuition and Fee Exemption for Purple Heart Recipients).

12 SECTION 18. IC 21-14-12.3 IS ADDED TO THE INDIANA  
13 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2019]:

15 **Chapter 12.3. Resident Tuition for Spouses and Dependents of**  
16 **Veterans**

17 **Sec. 1. As used in this chapter, "dependent" means a biological**  
18 **child, adopted child, or stepchild of a qualified veteran.**

19 **Sec. 2. As used in this chapter, "qualified course" has the**  
20 **meaning set forth in IC 21-14-12.2-1.**

21 **Sec. 3. As used in this chapter, "qualified veteran" has the**  
22 **meaning set forth in IC 21-14-12.2-2.**

23 **Sec. 4. A spouse or dependent of a qualified veteran who enrolls**  
24 **in a state educational institution not later than twelve (12) months**  
25 **after the date of the qualified veteran's discharge or separation**  
26 **from the armed forces of the United States or the Indiana National**  
27 **Guard is eligible to pay the resident tuition rate determined by the**  
28 **state educational institution for a qualified course taken by the**  
29 **spouse or dependent of the qualified veteran while attending the**  
30 **state educational institution.**

31 **Sec. 5. (a) Subject to subsection (b), a spouse or dependent of a**  
32 **qualified veteran is eligible to pay a resident tuition rate for a**  
33 **qualified course:**

34 **(1) regardless of whether the spouse, dependent, or qualified**  
35 **veteran has resided in Indiana long enough after the qualified**  
36 **veteran's discharge or separation from the armed forces of**  
37 **the United States or the Indiana National Guard to establish**  
38 **Indiana residency under the otherwise applicable policies of**  
39 **the state educational institution; and**

40 **(2) regardless of whether the spouse or dependent of the**  
41 **qualified veteran has returned to Indiana for the primary**  
42 **purpose of attending the state educational institution.**



- 1           **(b) A spouse or dependent of a qualified veteran and the**
- 2 **qualified veteran must provide to the state educational institution,**
- 3 **not later than twelve (12) months after the date the spouse or**
- 4 **dependent enrolls in the state educational institution, the following:**
- 5           **(1) Proof that the spouse or dependent and the qualified**
- 6 **veteran have registered to vote in Indiana.**
- 7           **(2) Proof of the following:**
- 8               **(A) The spouse or dependent has:**
- 9                   **(i) obtained an Indiana driver's license or a state**
- 10 **identification card under IC 9-24; or**
- 11 **(ii) registered the spouse's or dependent's motor vehicle**
- 12 **in Indiana.**
- 13               **(B) The qualified veteran has:**
- 14 **(i) obtained an Indiana driver's license or a state**
- 15 **identification card under IC 9-24; or**
- 16 **(ii) registered the qualified veteran's motor vehicle in**
- 17 **Indiana.**
- 18           **(3) Proof of the relationship between the spouse or dependent**
- 19 **and the qualified veteran.**
- 20           **(4) Any other proof of residency as required by the**
- 21 **commission.**

22 **If the spouse or dependent of the qualified veteran or the qualified**  
 23 **veteran fails to comply with this subsection, the spouse or**  
 24 **dependent of the qualified veteran is subject to the tuition policies**  
 25 **determined by the state educational institution. The state**  
 26 **educational institution may charge an amount that equals the**  
 27 **difference between the nonresident tuition rate and the tuition**  
 28 **charged for qualified courses in which the spouse or dependent of**  
 29 **the qualified veteran enrolled during the first twelve (12) months**  
 30 **of enrollment at the state educational institution.**

31 **Sec. 6. A spouse or dependent of a qualified veteran who enrolls**  
 32 **in a state educational institution later than twelve (12) months after**  
 33 **the date of the qualified veteran's discharge or separation from the**  
 34 **armed forces of the United States or the Indiana National Guard**  
 35 **is subject to the tuition policies determined by the state educational**  
 36 **institution.**

37 SECTION 19. IC 35-52-21-3 IS REPEALED [EFFECTIVE JULY  
 38 1, 2019]. Sec. 3. IC 21-14-7-12 defines a crime concerning state  
 39 educational institutions:

40 SECTION 20. IC 35-52-21-4 IS REPEALED [EFFECTIVE JULY  
 41 1, 2019]. Sec. 4. IC 21-14-10-7 defines a crime concerning state  
 42 educational institutions:



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 216, 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 216 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 10, Nays 0

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 216, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 36, after "forces" insert "**of the United States**".

Page 11, line 22, delete "fail" and insert "**fails**".

and when so amended that said bill do pass.

(Reference is to SB 216 as printed February 1, 2019.)

BEHNING

Committee Vote: yeas 12, nays 0.

