



February 7, 2023

SENATE BILL No. 375

DIGEST OF SB 375 (Updated February 6, 2023 11:33 am - DI 119)

Citations Affected: IC 12-17.2; noncode.

Synopsis: Child care assistance. Requires the family and social services administration (FSSA) to develop a schedule for child care and development fund reimbursement of child care providers under which the highest rate does not differ from the lowest rate by more than 50%. Provides that children who are three years of age are eligible for the On My Way Pre-K program (program). Raises the income eligibility limit for grants under the program to 260% of the federal poverty level, and provides that: (1) a child whose annual household income does not exceed 200% of the federal poverty level is eligible for 100% of the maximum grant amount; (2) a child whose annual household income exceeds 200% of the federal poverty level, but does not exceed 220% of the federal poverty level, is eligible for 75% of the maximum grant amount; (3) a child whose annual household income exceeds 220% of the federal poverty level, is eligible for 75% of the maximum grant amount; (Continued next page)

Effective: July 1, 2023.

**Rogers, Walker G, Donato,
Ford J.D., Hunley, Yoder**

January 19, 2023, read first time and referred to Committee on Family and Children Services.

February 6, 2023, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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Digest Continued

the federal poverty level, but does not exceed 240% of the federal poverty level, is eligible for 50% of the maximum grant amount; and (4) a child whose annual household income exceeds 240% of the federal poverty level, but does not exceed 260% of the federal poverty level, is eligible for 25% of the maximum grant amount. Eliminates provisions regarding limited eligibility for grants under the program. Provides that a parent or guardian of a child who is awarded a grant under the program shall reimburse FSSA the amount of the grant funds that have been distributed to the parent or guardian if the parent or guardian fails to: (1) obtain employment; and (2) start working; within 90 days after the child is enrolled in a prekindergarten program, subject to short term waiver of this requirement under specified circumstances.



February 7, 2023

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.

SENATE BILL No. 375

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

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

1 SECTION 1. IC 12-17.2-3.5-14.5, AS ADDED BY P.L.184-2017,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 14.5. ~~Not later than July 1, 2017~~, The division
4 shall develop a provider rate reimbursement schedule:

5 (1) that uses money appropriated by the general assembly as an
6 incentive for providers that are eligible to receive voucher
7 payments under this chapter to meet the standards of quality
8 recognized by a Level 3 or Level 4 Paths to QUALITY program
9 rating; **and**
10 (2) **under which, to the extent not inconsistent with federal**
11 **law, the highest rate does not differ from the lowest rate by**
12 **more than fifty percent (50%).**

13 SECTION 2. IC 12-17.2-7.2-1, AS AMENDED BY P.L.268-2019,
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2023]: Sec. 1. As used in this chapter, "eligible child" refers
16 to an individual who:

17 (1) is at least ~~four (4)~~ **three (3)** years of age and less than five (5)

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1 years of age on August 1 of the state fiscal year for which a grant
2 is sought under the prekindergarten pilot program;

3 (2) is a resident of Indiana or otherwise has legal settlement in
4 Indiana, as determined under IC 20-26-11;

5 (3) is a member of a household with an annual income that does
6 not exceed ~~one hundred twenty-seven percent (127%)~~ **two**
7 **hundred percent sixty (260%)** of the federal poverty level;

8 (4) receives qualified early education services from an eligible
9 provider, as determined by the office;

10 (5) has a parent or guardian who participates in a parental
11 engagement and involvement component provided by the eligible
12 provider;

13 (6) has a parent or guardian who agrees to ensure that the child
14 meets the attendance requirements determined by the office; and

15 (7) meets the requirements under section 7.2(a) and ~~7.2(c)~~ **7.2(b)**
16 of this chapter.

17 SECTION 3. IC 12-17.2-7.2-2, AS AMENDED BY P.L.268-2019,
18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2023]: Sec. 2. As used in this chapter, "eligible provider"
20 refers to a provider that satisfies the following conditions:

21 (1) The provider is:

22 (A) a:

23 (i) public school, including a charter school;

24 (ii) child care center licensed under IC 12-17.2-4;

25 (iii) child care home licensed under IC 12-17.2-5; or

26 (iv) child care ministry registered under IC 12-17.2-6;

27 that meets the standards of quality recognized by a Level 3 or
28 Level 4 paths to QUALITY program rating;

29 (B) a school that is accredited by the state board of education
30 or a national or regional accreditation agency that is
31 recognized by the state board of education; or

32 (C) a school that is accredited to provide qualified early
33 education services by an accrediting agency approved by the
34 office of the secretary.

35 (2) The provider:

36 (A) provides qualified early education services to eligible ~~and~~
37 ~~limited eligibility~~ children; and

38 (B) complies with the agreement with the office concerning
39 the delivery of qualified education services and the use of a
40 grant provided under this chapter.

41 SECTION 4. IC 12-17.2-7.2-2.5 IS REPEALED [EFFECTIVE
42 JULY 1, 2023]. ~~Sec. 2.5. As used in this chapter, "limited eligibility~~



1 child" refers to an individual who:

- 2 (1) is at least four (4) years of age and less than five (5) years of
 3 age on August 1 of the state fiscal year for which a grant is sought
 4 under the prekindergarten pilot program;
 5 (2) is a resident of Indiana or otherwise has legal settlement in
 6 Indiana; as determined under IC 20-26-11;
 7 (3) receives qualified early education services from an eligible
 8 provider; as determined by the office;
 9 (4) has a parent or guardian who agrees to ensure that the child
 10 meets the attendance requirements determined by the office;
 11 (5) has a parent or guardian who participates in a parental
 12 engagement and involvement component provided by the eligible
 13 provider;
 14 (6) is a member of a household with an annual income that does
 15 not exceed one hundred eighty-five percent (185%) of the federal
 16 poverty level;
 17 (7) meets the requirements of section 7.2(b) and 7.2(c) of this
 18 chapter; and
 19 (8) is not an eligible child.

20 SECTION 5. IC 12-17.2-7.2-5.7 IS REPEALED [EFFECTIVE
 21 JULY 1, 2023]. Sec. 5.7: As used in this chapter, "priority enrollment
 22 period" refers to the period set forth by the office beginning not later
 23 than April 1 of each calendar year, except for calendar year 2021,
 24 during which the priority enrollment period may begin later than April
 25 1, 2021.

26 SECTION 6. IC 12-17.2-7.2-6, AS AMENDED BY P.L.268-2019,
 27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2023]: Sec. 6. As used in this chapter, "qualified early
 29 education services" refers to a program of early education services that:
 30 (1) is provided by an eligible provider to an eligible or limited
 31 eligibility child;
 32 (2) includes a parental engagement and involvement component
 33 in the delivery of early education services that is based on the
 34 requirements and guidelines established by the office;
 35 (3) administers the kindergarten readiness assessment adopted by
 36 the state board of education;
 37 (4) aligns with the early learning development framework for
 38 prekindergarten approved by the department of education under
 39 IC 20-19-3-16; and
 40 (5) meets the design parameters for inclusion in the longitudinal
 41 study described in section 12 of this chapter, as determined by the
 42 office.



1 SECTION 7. IC 12-17.2-7.2-7, AS AMENDED BY P.L.268-2019,
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2023]: Sec. 7. (a) The office may establish a prekindergarten
 4 pilot program to provide grants for:

5 (1) qualified early education services in a manner consistent with
 6 how funds are distributed under the Child Care and Development
 7 Fund (CCDF) grant program; and

8 (2) expansion plans as described in section 7.4(a)(2) of this
 9 chapter.

10 (b) The office shall administer the prekindergarten pilot program.
 11 The prekindergarten pilot program may include:

12 (1) eligible providers in Indiana; and

13 (2) potential eligible providers or existing eligible providers as
 14 described in section 7.4 of this chapter.

15 (c) Before July 1, 2017, the prekindergarten pilot program includes
 16 eligible providers in the following pilot counties:

17 (1) Allen.

18 (2) Jackson.

19 (3) Lake.

20 (4) Marion.

21 (5) Vanderburgh.

22 The total number of grants the office awards to eligible children in a
 23 county listed in this subsection during a state fiscal year may not be
 24 less than the total number of grants the office awarded to eligible
 25 children in that county during the immediately preceding state fiscal
 26 year unless the office determines that there is an insufficient number of
 27 eligible children or eligible providers in the county to justify the total
 28 number of grants for that county. Beginning July 1, 2020, the total
 29 number of grants during the immediately preceding state fiscal year
 30 shall include the number of grants issued under a preschool program
 31 established in March 2015 that operates in a consolidated city.

32 (d) After June 30, 2017, and before July 1, 2019, in addition to the
 33 counties listed under subsection (c), the prekindergarten pilot program
 34 includes eligible providers in fifteen (15) additional counties. In
 35 determining which counties are designated as pilot counties under this
 36 subsection, the office shall give preference to counties that are
 37 primarily rural. The total number of grants the office awards to eligible
 38 children in a county designated under this subsection during a state
 39 fiscal year may not be less than the total number of grants the office
 40 awarded to eligible children in that county during the immediately
 41 preceding state fiscal year unless the office determines that there is an
 42 insufficient number of eligible children or eligible providers in the



1 county to justify the total number of grants for that county.

2 (e) In addition to the counties listed in subsection (c) and counties
3 designated under subsection (d), the prekindergarten pilot program
4 includes eligible providers in any county in Indiana.

5 (f) Subject to the requirements of this chapter, the office shall
6 determine:

7 (1) the eligibility requirements, application process, and selection
8 process for awarding grants under the prekindergarten pilot
9 program;

10 (2) the administration and reporting requirements for:

11 (A) eligible providers; and

12 (B) potential eligible providers or existing eligible providers;
13 participating in the prekindergarten pilot program; and

14 (3) with the assistance of the early learning advisory committee,
15 an appropriate outcomes based accountability system for:

16 (A) eligible providers; and

17 (B) potential eligible providers or existing eligible providers.

18 (g) Before implementing the prekindergarten pilot program, the
19 office shall submit the provisions of the prekindergarten pilot program
20 to the state board of education for the state board of education's review
21 and comment.

22 (h) The office shall, subject to the availability of funding, determine
23 the number of eligible children who will participate in the
24 prekindergarten pilot program. ~~After December 31, 2019, the office
25 shall, subject to the availability of funding, determine the number of
26 limited eligibility children who will participate in the prekindergarten
27 pilot program.~~

28 SECTION 8. IC 12-17.2-7.2-7.2, AS AMENDED BY P.L.268-2019,
29 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2023]: Sec. 7.2. (a) For an eligible child to qualify for a grant
31 under this chapter, the eligible child must reside with a parent or
32 guardian who is:

33 (1) working or attending a job training or an educational program;

34 ~~or~~

35 (2) actively seeking employment, subject to the approval by the
36 United States Department of Health and Human Services as
37 provided in 45 CFR 98.21; ~~or~~

38 **(3) receives Social Security Disability Insurance or
39 Supplemental Security Income benefits.**

40 ~~(b) For a limited eligibility child to qualify for a grant under this
41 chapter, the limited eligibility child must reside with a parent or
42 guardian who:~~



1 (1) is working or attending a job training or an educational
2 program;

3 (2) is actively seeking employment, subject to the approval by the
4 United States Department of Health and Human Services as
5 provided in 45 CFR 98.21; or

6 (3) receives Social Security Disability Insurance or Supplemental
7 Security Income benefits.

8 (e) **(b)** Before the office may award a grant to an eligible or limited
9 eligibility child under this chapter, the office shall require that a parent
10 or guardian of the eligible or limited eligibility child agree to the
11 following:

12 (1) The eligible or limited eligibility child will attend the
13 prekindergarten program of an eligible provider selected by the
14 parent or guardian for the full duration of the prekindergarten
15 program year.

16 (2) The parent or guardian will not transfer to another
17 prekindergarten program during the prekindergarten program
18 year.

19 (3) The eligible or limited eligibility child will attend the
20 prekindergarten program at least eighty-five percent (85%) of the
21 days that the prekindergarten program is provided.

22 (4) The parent or guardian will allow the eligible or limited
23 eligibility child to participate in an external evaluation conducted
24 by researchers, including the kindergarten readiness assessment
25 and measuring of developmental and academic progress.

26 (5) The parent or guardian will participate in family engagement
27 and involvement activities offered by the selected prekindergarten
28 program, including meetings with the eligible or limited eligibility
29 child's teacher to discuss the eligible or limited eligibility child's
30 progress or any other conference concerning the eligible or
31 limited eligibility child that is requested by the eligible provider.

32 (6) The parent or guardian will complete the necessary forms for
33 the eligible child or limited eligibility child to receive a student
34 test number from the department of education.

35 (7) The parent or guardian will send the eligible or limited
36 eligibility child to kindergarten.

37 (8) The parent or guardian will read to the eligible or limited
38 eligibility child each week.

39 **(9) The parent or guardian will reimburse the office if
40 required to do so under subsection (d).**

41 ~~(9)~~ **(10)** Any other condition the office determines is appropriate.

42 ~~(d)~~ **(c)** Priority may be given to an eligible or limited eligibility child



1 under this section if a parent or guardian of the eligible ~~or limited~~
2 ~~eligibility~~ child is:

- 3 (1) involved in activities that improve the parent's or guardian's
4 education; or
5 (2) involved in job training.

6 **(d) If an eligible child is awarded a grant under this chapter, the**
7 **eligible child's parent or guardian must:**

- 8 **(1) obtain employment; and**
9 **(2) be working;**

10 **not later than ninety (90) days after the eligible child is enrolled in**
11 **the prekindergarten program. Subject to subsection (e), if the**
12 **parent or guardian does not meet the requirements under**
13 **subdivisions (1) and (2), the parent or guardian shall reimburse the**
14 **office the amount of the grant funds that have been distributed to**
15 **the parent or guardian.**

16 **(e) A parent or guardian may request, and the office may grant,**
17 **a short term waiver from the condition under subsection (d)(2) if**
18 **the parent or guardian:**

- 19 **(1) has obtained employment; and**
20 **(2) has, through no fault of the parent or guardian, been**
21 **unable to start working;**

22 **within the time specified under subsection (d).**

23 SECTION 9. IC 12-17.2-7.2-7.3, AS AMENDED BY P.L.268-2019,
24 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2023]: Sec. 7.3. The office shall require, for an eligible
26 provider to enroll in the prekindergarten pilot program, that the eligible
27 provider agree to the following:

- 28 (1) Comply on a continuing basis with the requirements under this
29 chapter and rules for participation established by the office.
30 (2) Maintain eligibility under this chapter throughout the
31 prekindergarten program year.
32 (3) Report immediately any changes in eligibility status to the
33 office, including the eligible provider's loss of national or regional
34 accreditation.
35 (4) Participate in any training and mandatory meetings required
36 by the office.
37 (5) Participate in all onsite visits conducted by the office,
38 including fiscal auditing activities with regard to the
39 prekindergarten pilot program and prekindergarten program
40 activity monitoring.
41 (6) Allow families of eligible ~~or limited eligibility~~ children
42 enrolled in the prekindergarten program of the eligible provider



- 1 to visit at any time the prekindergarten program is in operation.
2 (7) Maintain accurate online attendance records through the
3 attendance portal for eligible ~~or limited eligibility~~ children
4 enrolled in the prekindergarten pilot program and submit
5 attendance records as required by the office.
6 (8) Offer parental engagement and involvement activities in the
7 prekindergarten program of the eligible provider in alignment
8 with the family engagement framework adopted by the early
9 learning advisory committee established by IC 12-17.2-3.8-5.
10 (9) Complete, within the period established by the office, the
11 Indiana early childhood family engagement toolkit, including the
12 family engagement self-assessment, adopted by the early learning
13 advisory committee.
14 (10) Share information on the family engagement self-assessment
15 described in subdivision (9) as required by the office.
16 (11) Participate in research studies as required by the office.
17 (12) Enforce minimum attendance requirements of at least
18 eighty-five percent (85%) of the days that the prekindergarten
19 program of the eligible provider is offered to an eligible ~~or limited~~
20 ~~eligibility~~ child.
21 (13) Inform the office that an eligible ~~or limited eligibility~~ child
22 has withdrawn from the prekindergarten program of the eligible
23 provider not later than five (5) days after the eligible ~~or limited~~
24 ~~eligibility~~ child is withdrawn.
25 (14) That retroactive repayment to the state may be required or
26 future payments may be adjusted as a result of the withdrawal of
27 an eligible ~~or limited eligibility~~ child or changes in the law.
28 (15) Maintain records of participation by a family of an eligible
29 ~~or limited eligibility~~ child in family engagement activities and
30 submit records as required by the office.
31 (16) Promote an eligible ~~or limited eligibility~~ child's social,
32 emotional, and behavioral health and eliminate or severely limit
33 the use of expulsion, suspension, and other exclusionary
34 discipline practices.
35 (17) Use the exclusionary discipline practices described in
36 subdivision (16) only as a last resort in extraordinary
37 circumstances when there is a determination of a serious safety
38 threat that cannot otherwise be reduced or eliminated by the
39 provision of reasonable modifications.
40 (18) Inform and receive approval from the office before the
41 eligible provider expels, suspends, or uses other exclusionary
42 discipline practices.



1 (19) Assist a parent or guardian, upon request by the parent or
 2 guardian, in obtaining information from, referral to, or both
 3 information from and referral to, the public school that serves the
 4 attendance area in which the parent or guardian resides for an
 5 educational evaluation and determination of eligibility for special
 6 education services if developmental delays or reasons to suspect
 7 a disability are observed by the parent, guardian, or teacher of an
 8 eligible ~~or limited eligibility~~ child during the prekindergarten
 9 program year.

10 SECTION 10. IC 12-17.2-7.2-7.4, AS AMENDED BY
 11 P.L.268-2019, SECTION 11, IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.4. (a) To qualify as
 13 a potential eligible provider or existing eligible provider, an applicant
 14 must:

15 (1) provide an expansion plan to the office that details the
 16 potential eligible provider's or existing eligible provider's plan to:

17 (A) increase the capacity of providers of qualified early
 18 education services to serve a greater number of eligible ~~or~~
 19 ~~limited eligibility~~ children;

20 (B) increase the number of providers of qualified early
 21 education services; or

22 (C) increase the capacity as described in clause (A) and
 23 increase the number as described in clause (B);

24 (2) comply with the agreement with the office concerning the plan
 25 under subdivision (1) and the use of a grant awarded under this
 26 chapter;

27 (3) agree:

28 (A) to operate as an eligible provider; or

29 (B) that the applicant intends to operate as an eligible
 30 provider;

31 (4) agree that the applicant will not use any grant funds awarded
 32 under this section for capital expenditures; and

33 (5) comply with any other standards and procedures established
 34 under this chapter.

35 (b) Subject to subsections (c) and (d), the office may award a grant
 36 to an applicant that meets the requirements of subsection (a).

37 (c) The office may not use more than a total of twenty percent (20%)
 38 of the money in the pilot fund each state fiscal year:

39 (1) for grants awarded under this chapter to potential eligible
 40 providers and existing eligible providers for expansion plans; and

41 (2) to meet any state match amounts required for a federal grant
 42 described in subsection (f).



1 (d) The office may not award grant funds under this section to an
2 applicant for any of the following:

- 3 (1) The purchase of land or a building.
- 4 (2) The construction or expansion of a building.

5 (e) If a potential eligible provider or existing eligible provider fails
6 to:

- 7 (1) use the grant funds in accordance with the expansion plan
8 described in subsection (a); or
- 9 (2) comply with the agreement entered into with the office under
10 subsection (a);

11 the potential eligible provider or existing eligible provider shall repay
12 to the office the total amount of the grant awarded to the potential
13 eligible provider or existing eligible provider under this chapter.

14 (f) The office may use money in the pilot fund that is allocated for
15 expansion plans under this section for a state fiscal year to meet any
16 state match amounts required for a federal grant if the purpose of the
17 federal grant is that the grant money be used for increasing:

- 18 (1) the capacity;
- 19 (2) the number; or
- 20 (3) both the capacity and number;

21 of providers of early education services for children four (4) years of
22 age.

23 SECTION 11. IC 12-17.2-7.2-7.8, AS AMENDED BY
24 P.L.268-2019, SECTION 12, IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7.8. (a) The office shall
26 make random onsite inspections each year, as determined necessary by
27 the office, at the facility of:

- 28 (1) an eligible provider; or
- 29 (2) a potential eligible provider or existing eligible provider;

30 that receives a grant under this chapter.

31 (b) The office may determine that an eligible provider or potential
32 eligible provider or existing eligible provider is not eligible to receive
33 a grant under the prekindergarten pilot program if the eligible provider
34 or potential eligible provider or existing eligible provider:

- 35 (1) fails to comply with this chapter; or
- 36 (2) refuses to allow, during normal business hours, the office or
37 an agent of the office to inspect the facility at which the eligible
38 provider or potential eligible provider or existing eligible provider
39 operates a child care program for eligible ~~or limited eligibility~~
40 children.

41 SECTION 12. IC 12-17.2-7.2-8, AS AMENDED BY P.L.268-2019,
42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2023]: Sec. 8. (a) The office shall determine:
 2 (1) which applicants shall be awarded a grant; and
 3 (2) subject to subsection (b) and to the availability of funding, the
 4 amount of each grant.
 5 (b) At least five percent (5%) but not more than fifty percent (50%)
 6 of the:
 7 (1) tuition for eligible ~~or limited eligibility~~ children under the
 8 prekindergarten pilot program; or
 9 (2) expansion plan described in section 7.4(a) of this chapter;
 10 during the state fiscal year must be paid from donations, gifts, grants,
 11 bequests, and other funds received from a private entity or person, from
 12 the United States government, or from other sources (excluding funds
 13 from a grant provided under this chapter and excluding other state
 14 funding). The office may receive and administer grants on behalf of the
 15 prekindergarten pilot program. The grants shall be distributed by the
 16 office to fulfill the requirements of this subsection.
 17 (c) The amount of a grant made under the pilot program to an
 18 eligible ~~or limited eligibility~~ child
 19 (+) who attends a prekindergarten program full time must equal
 20 at least two thousand five hundred dollars (\$2,500) during the
 21 state fiscal year. ~~and~~
 22 ~~(2) (d) The amount of a grant made under the pilot program to~~
 23 ~~an eligible child that is paid from state money provided under this~~
 24 ~~chapter may not exceed the following in a state fiscal year:~~
 25 **(1) For an eligible child who is a member of a household with**
 26 **an annual income that does not exceed two hundred percent**
 27 **(200%) of the federal poverty level, six thousand eight hundred**
 28 **dollars (\$6,800). from state money provided under this chapter**
 29 **during the state fiscal year:**
 30 **(2) For an eligible child who is a member of a household with**
 31 **an annual income that:**
 32 **(A) exceeds two hundred percent (200%) of the federal**
 33 **poverty level; and**
 34 **(B) does not exceed two hundred twenty percent (220%) of**
 35 **the federal poverty level;**
 36 **seventy-five percent (75%) of the amount specified in**
 37 **subdivision (1).**
 38 **(3) For an eligible child who is a member of a household with**
 39 **an annual income that:**
 40 **(A) exceeds two hundred twenty percent (220%) of the**
 41 **federal poverty level; and**
 42 **(B) does not exceed two hundred forty percent (240%) of**



1 **the federal poverty level;**
 2 **fifty percent (50%) of the amount specified in subdivision (1).**
 3 **(4) For an eligible child who is a member of a household with**
 4 **an annual income that:**
 5 **(A) exceeds two hundred forty percent (240%) of the**
 6 **federal poverty level; and**
 7 **(B) does not exceed two hundred sixty percent (260%) of**
 8 **the federal poverty level;**
 9 **twenty-five percent (25%) of the amount specified in**
 10 **subdivision (1).**

11 SECTION 13. IC 12-17.2-7.2-8.1 IS REPEALED [EFFECTIVE
 12 JULY 1, 2023]. Sec. 8.1. (a) If funds are appropriated by the general
 13 assembly, grants to limited eligibility children may not exceed:

14 (1) twenty percent (20%) of the amount appropriated for a
 15 particular state fiscal year if families with children four (4) years
 16 of age are on the waiting list for funds available under the Child
 17 Care Development Fund; or

18 (2) forty percent (40%) of the amount appropriated for a
 19 particular state fiscal year if there is no waiting list for children
 20 four (4) years of age for funds available under the Child Care
 21 Development Fund.

22 (b) During the priority enrollment period, the office shall provide
 23 grants to eligible children in the prekindergarten pilot program on a
 24 first-come, first-served basis. The office shall date stamp and reserve
 25 applications for limited eligibility children received during the priority
 26 enrollment period for processing during the extended enrollment
 27 period.

28 (c) During the extended enrollment period, the office shall provide
 29 grants to eligible children and limited eligibility children in the
 30 prekindergarten pilot program on a first-come, first-served basis to the
 31 extent of available funding and in accordance with the limit established
 32 by subsection (a).

33 SECTION 14. IC 12-17.2-7.2-13.1, AS ADDED BY P.L.268-2019,
 34 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2023]: Sec. 13.1. The office shall post monthly on the office's
 36 Internet web site the total enrollment of and number of grants awarded
 37 to

38 (1) all eligible children (before January 1, 2020); and

39 (2) after December 31, 2019; both:

40 (A) all eligible children; and

41 (B) all limited eligibility children;

42 for each county that participates in the prekindergarten pilot program.



1 SECTION 15. IC 12-17.2-7.2-13.5, AS AMENDED BY
 2 P.L.156-2020, SECTION 60, IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13.5. (a) The
 4 prekindergarten pilot program fund is established to:

5 (1) provide grants to eligible ~~or limited eligibility~~ children for
 6 qualified early education services under this chapter;

7 (2) carry out the longitudinal study described in section 12 of this
 8 chapter;

9 (3) provide grants to potential eligible providers and existing
 10 eligible providers as set forth in section 7.4 of this chapter; and

11 (4) make payments to reimburse costs incurred to provide
 12 in-home early education services under IC 12-17.2-7.5.

13 (b) The fund consists of:

14 (1) money appropriated to the fund by the general assembly; and

15 (2) grants or gifts to the fund.

16 (c) The fund shall be administered by the office.

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

19 (e) Money in the fund is continuously appropriated for the purposes
 20 provided under this article.

21 (f) The treasurer of state shall invest the money in the fund not
 22 currently needed to meet the obligations of the fund in the same
 23 manner as other public funds may be invested.

24 SECTION 16. [EFFECTIVE JULY 1, 2023] (a) **Not later than**
 25 **December 31, 2023, the office of the secretary of family and social**
 26 **services shall:**

27 (1) **submit to the United States Department of Health and**
 28 **Human Services any state plan amendment necessary to**
 29 **implement; and**

30 (2) **amend the rules of the division of family resources in**
 31 **conformance with;**

32 **IC 12-17.2, as amended by this act.**

33 (b) **This SECTION expires January 1, 2024.**



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 375, 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 and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 375 as introduced.)

WALKER G, Chairperson

Committee Vote: Yeas 7, Nays 0

