



Reprinted
February 3, 2017

SENATE BILL No. 412

DIGEST OF SB 412 (Updated February 2, 2017 2:19 pm - DI 110)

Citations Affected: IC 4-4; IC 12-14; IC 12-15; IC 12-17.6; IC 21-9; IC 21-12.

Synopsis: 529 education savings plan matters. Prohibits, unless otherwise provided under federal law, money in a 529 education savings account from being considered as a resource or asset in determining an applicant's or recipient's eligibility for: (1) certain public assistance programs; or (2) scholarships, grants, or awards administered by the commission for higher education.

Effective: July 1, 2017.

**Koch, Holdman, Stoops, Breaux,
Randolph Lonnie M**

January 10, 2017, read first time and referred to Committee on Tax and Fiscal Policy.
January 24, 2017, amended, reported favorably — Do Pass.
February 2, 2017, read second time, amended, ordered engrossed.

SB 412—LS 6745/DI 110



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First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 412

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

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

1 SECTION 1. IC 4-4-33-2 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2017]: **Sec. 2. Except as otherwise provided under federal law,**
4 **the money in an account (as defined in IC 21-9-2-2) of an education**
5 **savings program (as defined in IC 21-9-2-11) may not be**
6 **considered as a resource or asset in determining an applicant's or**
7 **recipient's eligibility for home energy assistance through the Low**
8 **Income Home Energy Assistance Block Grant under 42 U.S.C.**
9 **8621 et seq.**

10 SECTION 2. IC 12-14-1-1.3 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2017]: **Sec. 1.3. Except as otherwise provided under federal law,**
13 **the money in an account (as defined in IC 21-9-2-2) of an education**
14 **savings program (as defined in IC 21-9-2-11) may not be**
15 **considered as a resource or asset in determining an applicant's or**
16 **recipient's eligibility for assistance under TANF.**

17 SECTION 3. IC 12-15-3-8 IS ADDED TO THE INDIANA CODE

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1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 2 1, 2017]: **Sec. 8. Except as otherwise provided under federal law,**
 3 **the money in an account (as defined in IC 21-9-2-2) of an education**
 4 **savings program (as defined in IC 21-9-2-11) may not be**
 5 **considered as a resource or asset in determining an applicant's or**
 6 **recipient's eligibility for Medicaid.**

7 SECTION 4. IC 12-17.6-3-2.5 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2017]: **Sec. 2.5. Except as otherwise provided**
 10 **under federal law, the money in an account (as defined in**
 11 **IC 21-9-2-2) of an education savings program (as defined in**
 12 **IC 21-9-2-11) may not be considered as a resource or asset in**
 13 **determining an applicant's or recipient's eligibility for the**
 14 **program.**

15 SECTION 5. IC 21-9-7-2 IS REPEALED [EFFECTIVE JULY 1,
 16 2017]. **Sec. 2: The amount of money available in an account and the**
 17 **proposed use of money in an account on behalf of an account**
 18 **beneficiary may not be considered by the commission for higher**
 19 **education under IC 21-12-3, IC 21-12-4, IC 21-12-5, IC 21-13-2,**
 20 **IC 21-13-7, or IC 21-13-8 when determining award amounts under**
 21 **another program administered by the commission for higher education.**

22 SECTION 6. IC 21-12-1.2-3 IS ADDED TO THE INDIANA CODE
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 24 1, 2017]: **Sec. 3. Except as otherwise provided under federal law,**
 25 **the money in an account (as defined in IC 21-9-2-2) of an education**
 26 **savings program (as defined in IC 21-9-2-11) may not be**
 27 **considered as a resource or asset in determining an applicant's or**
 28 **recipient's eligibility for any scholarship, grant, or award**
 29 **administered by the commission.**



COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 412, 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:

Delete the title and insert the following:

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

Page 1, delete lines 10 through 17.

Delete pages 2 through 3.

Page 4, delete lines 1 through 19.

Page 4, delete line 42.

Page 5, delete lines 1 through 18.

Page 5, delete lines 28 through 32.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 412 as introduced.)

HERSHMAN, Chairperson

Committee Vote: Yeas 14, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 412 be amended to read as follows:

Page 2, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 5. IC 21-9-7-2 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 2: The amount of money available in an account and the proposed use of money in an account on behalf of an account beneficiary may not be considered by the commission for higher education under IC 21-12-3, IC 21-12-4, IC 21-12-5, IC 21-13-2, IC 21-13-7, or IC 21-13-8 when determining award amounts under another program administered by the commission for higher education."



Page 2, line 21, delete "state".

Page 2, line 21, delete "stipend," and insert "**or award administered by the commission.**".

Page 2, delete lines 22 through 23.

Renumber all SECTIONS consecutively.

(Reference is to SB 412 as printed January 25, 2017.)

KOCH

