

SENATE BILL No. 450

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-18-3; IC 21-19-3; IC 21-20-3; IC 21-21-3; IC 21-22-3; IC 21-23-3; IC 21-24-3; IC 21-25-3.

Synopsis: Higher education appointments. Adds member appointments by the legislative council to the following: (1) The commission for higher education. (2) The board of trustees of the following: (A) Ball State University. (B) Indiana University. (C) Indiana State University. (D) Ivy Tech Community College of Indiana. (E) Purdue University. (F) University of Southern Indiana. (G) Vincennes University. Repeals a provision regarding appointments to the board of trustees of Purdue University.

Effective: July 1, 2023.

Ford Jon

January 19, 2023, read first time and referred to Committee on Education and Career Development.



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. 450

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 21-18-3-1, AS ADDED BY P.L.2-2007, SECTION
2 259, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2023]: Sec. 1. **(a)** The commission consists of ~~fourteen (14)~~ **the**
4 **following fifteen (15)** members:
5 **(1) Eleven (11) members** appointed by the governor as follows:
6 ~~(1) Each member must be a citizen of Indiana.~~
7 ~~(2) (A)~~ **(A)** Each congressional district must be represented by at
8 least one (1) member who resides in the congressional district.
9 ~~(3) (B)~~ **(B)** One (1) member must be a student.
10 ~~(4) (C)~~ **(C)** One (1) member must be a full-time faculty member of
11 a state educational institution.
12 **(2) Four (4) members appointed by the legislative council**
13 **who:**
14 **(A) are not members of the general assembly; and**
15 **(B) represent the public at large.**
16 **(b) Each member must be a citizen of Indiana.**
17 SECTION 2. IC 21-18-3-6, AS ADDED BY P.L.2-2007, SECTION



1 259, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2023]: Sec. 6. (a) Appointments to the commission are for a term of
3 four (4) years except:

- 4 (1) the student member; and
5 (2) the full-time faculty member;

6 who are appointed to a term of two (2) years.

7 (b) ~~The governor~~ **appropriate appointing authority** shall promptly
8 make appointments to fill vacancies for the duration of unexpired terms
9 in the same manner as the original appointments.

10 (c) The term of a member begins on July 1 of the year of
11 appointment and continues until a successor has been appointed.

12 SECTION 3. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION
13 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2023]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**
15 **following eleven (11)** members:

16 (1) **Nine (9) members** appointed by the governor as follows:

17 (1) ~~(A)~~ **(A)** Six (6) members who must be at large.

18 (2) ~~(B)~~ **(B)** Two (2) members who must be alumni of Ball State
19 University.

20 (3) ~~(C)~~ **(C)** One (1) member who must be a Ball State University
21 student.

22 (2) **Two (2) at-large members appointed by the legislative**
23 **council who are not members of the general assembly.**

24 SECTION 4. IC 21-19-3-3, AS AMENDED BY P.L.29-2012,
25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2023]: Sec. 3. Not more than ~~six (6)~~ **seven (7)** of the
27 nonstudent members of the board of trustees may be of the same sex.

28 SECTION 5. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION
29 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
30 1, 2023]: Sec. 9. A vacancy occurring on the board of trustees from
31 death, incapacitation, or resignation shall be filled by appointment of
32 the ~~governor~~ **appropriate appointing authority** for the unexpired
33 term. Vacancies in offices held by alumni members shall be filled from
34 nominees submitted by the Ball State University alumni council.

35 SECTION 6. IC 21-20-3-2, AS ADDED BY P.L.2-2007, SECTION
36 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2023]: Sec. 2. The board of trustees has ~~nine (9)~~ **eleven (11)**
38 members.

39 SECTION 7. IC 21-20-3-3, AS ADDED BY P.L.2-2007, SECTION
40 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
41 1, 2023]: Sec. 3. This section does not apply to the student trustee
42 appointed to the board of trustees **or to the legislative council**



1 **appointments.** Not more than:

2 (1) one (1) of the trustees elected to the board of trustees; and

3 (2) two (2) of the trustees appointed to the board of trustees;
4 may reside in the same county.

5 SECTION 8. IC 21-20-3-12, AS AMENDED BY P.L.29-2012,
6 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2023]: Sec. 12. (a) The governor shall appoint five (5)
8 members of the board of trustees. ~~for~~

9 **(b) The legislative council shall appoint two (2) at-large**
10 **members of the board of trustees who are not members of the**
11 **general assembly.**

12 **(c) The members appointed under this section shall serve** terms
13 of three (3) years.

14 ~~(b)~~ **(d)** Whenever a vacancy occurs in the membership of the board
15 of trustees who are appointed by the governor **or legislative council**
16 because of death or resignation or for any other reason, the vacancy
17 shall be filled by an appointment of the **governor original appointing**
18 **authority** for the unexpired term.

19 SECTION 9. IC 21-21-3-2, AS ADDED BY P.L.2-2007, SECTION
20 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2023]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**
22 **following eleven (11)** trustees:

23 **(1) Nine (9) members** appointed by the governor as follows:

24 ~~(+)~~ **(A)** Seven (7) competent individuals, one (1) of whom
25 must be a student.

26 ~~(2)~~ **(B)** Two (2) competent individuals who are alumni of
27 Indiana State University nominated by the alumni council of
28 Indiana State University.

29 **(2) Two (2) at-large members appointed by the legislative**
30 **council who are not members of the general assembly.**

31 SECTION 10. IC 21-21-3-9, AS ADDED BY P.L.2-2007,
32 SECTION 262, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) The ~~governor~~ **appropriate**
34 **appointing authority** shall fill a vacancy occurring in the board of
35 trustees from death, resignation, or removal from the state for the
36 unexpired term of the retiring trustee.

37 (b) The alumni council of Indiana State University shall nominate
38 the appointee to fill a vacancy caused by the loss of an alumni member.

39 SECTION 11. IC 21-22-3-1, AS ADDED BY P.L.2-2007,
40 SECTION 263, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2023]: Sec. 1. Ivy Tech Community College
42 shall be governed by a state board of trustees appointed by the governor



1 **and the legislative council as provided under section 3 of this**
 2 **chapter.**

3 SECTION 12. IC 21-22-3-3, AS AMENDED BY P.L.174-2018,
 4 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2023]: Sec. 3. (a) The number of members of the state board
 6 of trustees must equal the number of regions established by the state
 7 board of trustees plus ~~one (1)~~ **three (3)** additional ~~member,~~ **members,**
 8 but shall not exceed ~~fifteen (15)~~ **seventeen (17)** total members.

9 **(b) The legislative council shall appoint two (2) at-large**
 10 **members to the state board of trustees. The governor shall appoint**
 11 **the remaining members described in subsection (a).**

12 **(c) The state board of trustees shall divide the state of Indiana into**
 13 **regions. Each region shall be represented by one (1) trustee appointed**
 14 **by the governor.**

15 **(d) Each member of the state board of trustees must have knowledge**
 16 **or experience in one (1) or more of the following areas:**

- 17 (1) Manufacturing.
- 18 (2) Commerce.
- 19 (3) Labor.
- 20 (4) Agriculture.
- 21 (5) State and regional economic development needs.
- 22 (6) Indiana's educational delivery system.

23 **(e) One (1) member appointed by the governor must serve as an**
 24 **at-large member. Appointments shall be for three (3) year terms, on a**
 25 **staggered basis.**

26 ~~(b)~~ **(f) An individual who holds an elective or appointed office of**
 27 **the state is not eligible to serve as a member of the state board of**
 28 **trustees. A member of a campus board may be appointed to the state**
 29 **board of trustees but must then resign from the campus board.**

30 SECTION 13. IC 21-22-3-4, AS AMENDED BY P.L.174-2018,
 31 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2023]: Sec. 4. The ~~governor~~ **appropriate appointing**
 33 **authority shall fill all vacancies on the state board of trustees. All**
 34 **members of the state board of trustees who are serving on July 1, 2018,**
 35 **are entitled to serve until the ends end of their terms. At the end of a**
 36 **trustee's term or otherwise upon the occurrence of a vacancy, the**
 37 **governor appropriate appointing authority may appoint a trustee in**
 38 **accordance with section 3 of this chapter.**

39 SECTION 14. IC 21-23-3-1, AS ADDED BY P.L.2-2007,
 40 SECTION 264, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2023]: Sec. 1. The board of trustees consists of
 42 ~~ten (10)~~ **twelve (12)** members, to be appointed for the term of service



1 and in the manner provided by this chapter. The terms of all trustees
2 terminate on July 1 of the year in which their terms of office expire.

3 SECTION 15. IC 21-23-3-2, AS AMENDED BY P.L.213-2015,
4 SECTION 237, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The governor shall appoint
6 ten (10) trustees, **which includes the Purdue University alumni**
7 **selected under section 3 of this chapter**, for Purdue University for the
8 term beginning on July 1 in conformity with this chapter.

9 (b) The general assembly urges the governor to appoint at least one
10 (1) resident of Allen County to the board of trustees of Purdue
11 University.

12 (c) **Two (2) at-large members shall be appointed to the board of**
13 **trustees by the legislative council. The members appointed under**
14 **this subsection may not be members of the general assembly.**

15 SECTION 16. IC 21-23-3-4 IS REPEALED [EFFECTIVE JULY 1,
16 2023]. Sec. 4: Seven (7) of the trustees shall be appointed by the
17 governor.

18 SECTION 17. IC 21-23-3-8, AS ADDED BY P.L.2-2007,
19 SECTION 264, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2023]: Sec. 8. In case any vacancy occurs on
21 the board of trustees by reason of the resignation, removal from the
22 state, expiration of the term of office, or otherwise of any of the trustees
23 appointed by the ~~governor~~, **applicable appointing authority**, the
24 vacancy shall be filled by the ~~governor~~ **applicable appointing**
25 **authority** from the respective classes as provided in this section to
26 serve only for the unexpired term.

27 SECTION 18. IC 21-23-3-9, AS ADDED BY P.L.2-2007,
28 SECTION 264, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2023]: Sec. 9. (a) The acceptance of an
30 appointment by the governor **or legislative council** signifies that the
31 appointee will give the appointee's best efforts to the interests of
32 Purdue University and that the appointee will regularly attend the
33 meetings of the board of trustees.

34 (b) The secretary of the board of trustees shall report the attendance
35 of each meeting of the board of trustees to the governor **and legislative**
36 **council regarding the respective members appointed by the**
37 **governor or legislative council**. If a member is absent for two (2)
38 consecutive meetings without sufficient excuse, it shall be considered
39 sufficient cause for the governor **or legislative council** to ask for the
40 resignation of the member **that the governor or legislative council**
41 **appointed.**

42 SECTION 19. IC 21-24-3-2, AS ADDED BY P.L.2-2007,



1 SECTION 265, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2023]: Sec. 2. The board of trustees consists of
 3 **nine (9) eleven (11)** members who shall serve terms of four (4) years.
 4 However, the term of a student member of the board of trustees is two
 5 (2) years.

6 SECTION 20. IC 21-24-3-4, AS ADDED BY P.L.2-2007,
 7 SECTION 265, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2023]: Sec. 4. The **members of the** board of
 9 trustees **appointed by the governor** must include at least the
 10 following:

11 (1) One (1) member who is an alumnus of the University of
 12 Southern Indiana or an alumnus of the regional campus.

13 (2) One (1) member who is a full-time student in good standing
 14 enrolled in the University of Southern Indiana.

15 (3) One (1) member who is a resident of Vanderburgh County.

16 SECTION 21. IC 21-24-3-5, AS ADDED BY P.L.2-2007,
 17 SECTION 265, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The governor shall appoint
 19 **nine (9)** of the members of the board of trustees.

20 **(b) The legislative council shall appoint two (2) at-large**
 21 **members to the board of trustees. The members appointed under**
 22 **this subsection may not be members of the general assembly.**

23 ~~(b)~~ (c) If a vacancy occurs during the term of any member, the
 24 **governor appropriate appointing authority** shall appoint an
 25 individual to serve the unexpired term of the vacating member.

26 SECTION 22. IC 21-25-3-1, AS ADDED BY P.L.2-2007,
 27 SECTION 266, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2023]: Sec. 1. The board of trustees consists of
 29 ~~ten (10)~~ **twelve (12)** trustees.

30 SECTION 23. IC 21-25-3-2, AS ADDED BY P.L.2-2007,
 31 SECTION 266, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) Nine (9) members of the
 33 board of trustees shall be appointed by the governor, one (1) of whom
 34 must be a resident of Knox County and one (1) must be an alumnus of
 35 Vincennes University. In addition, the governor shall appoint one (1)
 36 trustee who is a full-time student of Vincennes University during the
 37 student's term.

38 **(b) The legislative council shall appoint two (2) at-large**
 39 **members to the board of trustees. The members appointed under**
 40 **this subsection may not be members of the general assembly.**

