

Commission on Improving the Status of Children in Indiana 2020 Legislative Summary

Child Welfare and Family Law		
Bill #	Topic	Summary
HEA 1006	Minimum age to marry and emancipation of minors	Raises the minimum age to marry from 15 to 16. A 16- or 17-year-old may only marry with a court order allowing it, and only under certain conditions. If the court approves the marriage, the court must also emancipate the minor. A GAL must be appointed for the minor.
HEA 1313	Courts and Family Law Matters	Clarifies authority of magistrates and increases dollar limits for small claims courts. Allows Marion County to reorganize its courts and hold court in the community justice campus in Indianapolis and other locations the court determines. A parent who is party to a custody order or parenting time order is not required to notify the court of a move if the relocation has been addressed by a prior court order; or the relocation will result in a decrease in the distance between the relocating individual's residence and the nonrelocating individual's residence; or result in an increase of not more than 20 miles in the distance between the two residences.
SEA 249	Exploitation of dependents and endangered adults	Clarifies definitions of "person in a position of trust" and "self-dealing" for the crime of exploitation of a dependent or an endangered adult. Increases the penalty if the person has a prior unrelated conviction. Removes sentencing enhancements based on the age of the victim and the value of the property.
SEA 410	Libraries	Clarifies process for libraries to have their budgets reviewed by the appropriate elected body. Requires libraries to conduct background checks on all applicants and employees age 18 and over. Provides that a library board may issue a local library card without charge or for a reduced fee to a foster child who is not a resident of the library district.
Criminal and Juvenile Justice		
Bill #	Topic	Summary
HEA 1032	Interfering with public safety	Renames the offense of "interfering with law enforcement" to "interfering with public safety", and provides that a person who enters a marked off area after having been denied entry by an emergency medical services provider commits interfering with public safety.
HEA 1047	Justice Reinvestment Advisory Council	Specifies the purpose and certain duties of the justice reinvestment advisory council, including the duty to study jail overcrowding, and adds additional members, including members of the Indiana evidence based decision making initiative (which is a partnership between state and local criminal justice stakeholders).

Criminal and Juvenile Justice

Bill #	Topic	Summary
HEA 1070	Distracted Driving	A person may not hold or use a telecommunications device while operating a moving motor vehicle, except with hands-free technology or to call 911 in a bona fide emergency. The BMV may not assess points under the point system for a violation occurring before July 1, 2021.
HEA 1151	School resource officers	Adds a school resource officer to the definition of "public safety officer" as it relates to the public employee benefits special death benefit fund.
HEA 1264	Child care background checks	Requires employees and volunteers of a child care facility who may be present on the premises of the child care facility during operating hours to submit to a national criminal history background check, regardless of whether or not they have direct contact with children. Results of the background check may be used as grounds for denial or revocation of a child care license or registration or eligibility for a CCDF voucher payment.
HEA 1346	Jail overcrowding	Repeals the jail overcrowding task force and adds ongoing study and recommendations related to jail overcrowding to the Justice Reinvestment Advisory Council (JRAC), and adds additional members to JRAC. Requires CJI to coordinate with state and local criminal justice agencies including sherriffs to collect and store data on jail populations and share that data with MPH.
SEA 109	Statute of Limitations	For child sex crimes, extends the statute of limitations for an additional five years after the discovery of DNA evidence, the discovery of recordings, or a confession. Similiarly extends the victim's ability to apply for victim compensation under the same circumstances.
SEA 146	Sexual assault victims' rights	Sexual assault victims have the right to speak with a victim advocate or victim assistance provider prior to undergoing a forensic exam and during the course of an investigation, whether or not they choose to have the exam or participate in court. Forensic examiners and law enforcement officers must notify victims of their rights. Victims' communication with a victim advocate is not admissible as evidence in court unless the victim gives consent.
SEA 206	Deposition of a child victim	Establishes rules and procedures for deposing a child under the age of 16 who is an alleged victim of a sex crime. Specifies rights of child, roles and duties of prosecutor, defense, and judge.
SEA 249	Exploitation of dependents and endangered adults	Clarifies definitions of "person in a position of trust" and "self-dealing" for the crime of exploitation of a dependent or an endangered adult. Increases the penalty if the person has a prior unrelated conviction. Removes sentencing enhancements based on the age of the victim and the value of the property.
SEA 302	Indigency determinations	Establishes a procedure for a criminal court to use in determining if a defendant is indigent, including partial or pro-rated payment based on defendant's ability to pay.

Criminal and Juvenile Justice

Bill #	Topic	Summary
SEA 335	Criminal Law Issues	Prohibits a serious delinquent from possessing a firearm unless the person is at least 26 years of age, in the case of less serious acts; or 28 years of age, in the case of more serious acts. Makes possession of a firearm by a serious delinquent a Level 6 felony, and increases the penalty to a Level 5 felony for a second or subsequent offense. Requires a juvenile court to transmit certain findings to the office of judicial administration for transmission to the National Instant Criminal Background Check System (NICS) upon a finding of delinquency for an act that would be a serious violent felony if committed by an adult. Allows a court to consider certain factors when evaluating a petition to expunge certain juvenile adjudications. For adults, makes changes to look-back periods for subsequent offenses, driving while intoxicated laws and gun laws.
SEA 410	Libraries	Clarifies process for libraries to have their budgets reviewed by the appropriate elected body. Requires libraries to conduct background checks on all applicants and employees age 18 and over. Provides that a library board may issue a local library card without charge or for a reduced fee to a foster child who is not a resident of the library district.
SEA 424	Address Confidentiality Program	Allows a victim of harassment, human trafficking, intimidation, or invasion of privacy to participate in the address confidentiality program of the office of the attorney general. (Currently the law allows only victims of domestic violence, sexual assault, or stalking to participate in the program.) Removes the requirement that a victim must have obtained a protective order to participate in the program. Creates additional rules of the program.

Disabilities and Social Services

Bill #	Topic	Summary
HEA 1093	Electronic submission of state agency documents	Executive branch state agencies may allow a person to electronically file or submit a document to the state agency as an option in addition to any other means of filing or submitting a document that is required or allowed by statute or rule. Methods to collect electronic filings or submissions must be approved by the office of technology.
HEA 1176	First steps program	Once an Individual Family Service Plan is signed by a physician, health insurers may not require preauthorization for the services listed in the plan; adds habilitative services to the First Steps menu; makes changes to the Interagency Coordinating Council procedures; establishes methods for determining rates and cost-share amounts; requires insurance cards to indicate the type of health plan providing benefits, and requires insurance verification databases to include certain types of information.

Disabilities and Social Services

Bill #	Topic	Summary
HEA 1264	Child care background checks	Requires employees and volunteers of a child care facility who may be present on the premises of the child care facility during operating hours to submit to a national criminal history background check, regardless of whether or not they have direct contact with children. Results of the background check may be used as grounds for denial or revocation of a child care license or registration or eligibility for a CCDF voucher payment.
HEA 1341	Students with disabilities	Requires the state advisory council on the education of children with disabilities to develop a plan to inform former special education students who received a certificate of completion or who left high school without a diploma or certificate at age 16 or older after 2003, of certain resources and opportunities related to adult diplomas and workforce training. Plan must be submitted to the General Assembly by October 1, 2020.
SEA 238	Various human services matters	Includes additional services and qualified personnel for purposes of the infants and toddlers with disabilities program. Requires child care ministries to have at least one individual who maintains a CPR certification present at all times that a child is in the care of the child care ministry and requires employees and volunteers who are caregivers to maintain current first aid certification.
SEA 267	Administration of 211 services	Transfers authority over the 211 dialing code and state funds for 211 from IHCD to FSSA. Defines the types of human services 211 will provide referrals for and establishes a 211 advisory committee to plan for 211 operations.
SEA 346	Students with disabilities	Makes numerous provisions related to providing accommodations on statewide testing (ILEARN) for students with IEPs, notice to parents, and the oversight role of SBOE and consultation with special ed experts. Establishes the Indiana Standards and Assessment Accommodation Task Force, requires SBOE to have one member who is a licensed special ed teacher or director.

Education

Bill #	Topic	Summary
HEA 1002	Teacher evaluations	Removes the requirement that a school corporation's annual performance evaluation plan must be based, in part, on objective measures of student achievement (standardized tests).
HEA 1003	Education matters	Gives SBOE the authority to determine the timing, frequency, and method of certain teacher training requirements. No new freeway accreditations after 6/30/2020, all freeway accreditations expire 7/1/2025. Establishes method for nonpublic schools to become state accredited. Schools only need to publish a summary of performance and fiscal reports, with a link to the full report on the district's web site.

Education

Bill #	Topic	Summary
HEA 1065	Various Tax Matters	Among many other tax provisions, establishes a process for a distressed school corporation to capture funds into a school improvement fund for the purposes of demolishing or repairing facilities. Excludes education loan repayments from acceptable uses of 529 funds and allows half of the 529 state tax credit to be claimed by each individual filing as married, filing separately. Provides that a charter school may elect to distribute a proportionate share of the charter school's operations fund to the school corporation in whose district the charter school is located, and a school corporation may distribute money that is received as part of a referendum tax levy to a charter school, excluding a virtual charter school, that is located in the attendance area of the school corporation. The resolution adopted by a school corporation to place a referendum on the ballot must indicate whether proceeds will be used to provide a distribution to any charter schools, as well as the amount that will be distributed. Removes the cap on the amount of career and technical education enrollment grants that may be distributed per state fiscal year.
HEA 1066	Various education matters	A school employee's child who resides in a different district may enroll in the parent's district of employment if the parent/employee has a salary of at least \$8,000 or \$3,000 if employed in extracurriculars; discipline records must be furnished upon request to a student's new school if they impact safety; IDOE must publish annual reports on teacher retention and shortages and # of students enrolled and counted in ADM who do not complete a course; charter schools and charter organizers are added to the definition of "government entity" for the purposes of criminal law; charter schools may give preference for admission to certain students if it is included in their charter; IPS teacher evaluations must conform to state requirements; teachers who lose their job due to a school district reorganization have hiring preference in newly created district if rated effective or highly effective and retain seniority when hired in the new district; a lame duck school board may not hire a superintendent; suspended students must receive credit for work completed during suspension; schools may deliver a presentation on autism and may display "in God we trust" in all classrooms and libraries.
HEA 1082	Various higher education matters	Removed the requirement that high school students in the EARN Indiana program complete a FAFSA and makes changes to the "return and complete" program focused on adults with some college but no degree.
HEA 1091	Education benefits relating to military services	Allows a dependent of an active duty military member transferred to an installation in Indiana to enroll in an Indiana school where they intend to reside and show proof of residence within the first ten instructional days after the transfer is effective. Provides for resident tuition for spouses and dependents of active duty military members transferred to Indiana for as long as the spouse or dependent remains continually enrolled.

Education

Bill #	Topic	Summary
HEA 1151	School resource officers	Adds a school resource officer to the definition of "public safety officer" as it relates to the public employee benefits special death benefit fund.
HEA 1153	Governor's workforce cabinet	Requires the governor's workforce cabinet to create a comprehensive strategic plan to ensure alignment of Indiana's primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs and to include early childhood education in the cabinet's review and strategic planning to ensure alignment with employer needs.
HEA 1264	Child care background checks	Requires employees and volunteers of a child care facility who may be present on the premises of the child care facility during operating hours to submit to a national criminal history background check, regardless of whether or not they have direct contact with children. Results of the background check may be used as grounds for denial or revocation of a child care license or registration or eligibility for a CCDF voucher payment.
HEA 1283	Teacher preparation program curriculum	Requires a teacher preparation program to include content within the curriculum that: (1) prepares teacher candidates to use evidenced based trauma informed classroom instruction and recognition of social, emotional, and behavioral reactions to trauma that may interfere with a student's academic functioning; and (2) provides information on certain applicable Indiana laws. Requires a teacher preparation program to consider using certain curricula pertaining to student trauma.
HEA 1305	Graduation rate calculation	Creates a process for students from a particular religious group who would normally leave school after 8th grade to instead leave after 10th grade without affecting the high school's graduation rate. Establishes requirements for student's parents and clergy to demonstrate deeply held religious beliefs.
HEA 1341	Students with disabilities	Requires the state advisory council on the education of children with disabilities to develop a plan to inform former special education students who received a certificate of completion or who left high school without a diploma or certificate at age 16 or older after 2003, of certain resources and opportunities related to adult diplomas and workforce training. Plan must be submitted to the General Assembly by October 1, 2020.
HEA 1419	Governor's workforce cabinet	Makes changes to the membership of the governor's workforce cabinet. Requires the governor's workforce cabinet to work with stakeholders from early learning through the workforce to establish alignment and coordination between the early learning advisory committee, state board of education (state board), commission for higher education, and department of workforce development.
SEA 2	School accountability	"Hold harmless": ILEARN scores may not lower a school or district's accountability grade nor an individual teacher's evaluation result for the 2018-19 and 2019-2020 school years.

Education

Bill #	Topic	Summary
SEA 238	Various human services matters	Includes additional services and qualified personnel for purposes of the infants and toddlers with disabilities program. Requires child care ministries to have at least one individual who maintains a CPR certification present at all times that a child is in the care of the child care ministry and requires employees and volunteers who are caregivers to maintain current first aid certification.
SEA 295	Various education matters	Changes the date for required child sexual abuse prevention education; makes changes to the state's career exploration program; requires IDOE to report on the number of computer science classes offered and completed, including demographic breakdowns for teachers and students.
SEA 319	Practitioner or accomplished practitioner license	Makes workforce-based professional development optional instead of required for teachers and expands and clarifies the types of experiences that fall into this category.
SEA 346	Students with disabilities	Makes numerous provisions related to providing accommodations on statewide testing (ILEARN) for students with IEPs, notice to parents, and the oversight role of SBOE and consultation with special ed experts. Establishes the Indiana Standards and Assessment Accommodation Task Force, requires SBOE to have one member who is a licensed special ed teacher or director.
SEA 398	Various education matters	"Patriotic organizations" may present to public school students once per year, must be background checked. IDOE must report the pass rate on the civics/naturalization test beginning Nov. 1, 2022. Creates a high school equivalency pilot program in 3 districts for rising seniors with less than 50% of credits needed to graduate. Urges interim study of whether and how the state should encourage robotics classes and clubs.
SEA 409	Employment of minors	Moves provisions on employment of minors from Title 20 (Education) to Title 22 (Labor and Safety.) Makes changes to the times and amount of hours that minors can work, with 14 and 15-year-olds having one set of limits, and 16- and 17-year-olds having another. Removes rest break requirement for minors and instead directs DOL to develop rest break recommendations. Work permit is no longer required for out-of-state, home school, or CTE students. Changes all references in Indiana code from "child labor" to "youth employment." Requires DOL to develop a database of employers that employ minors. Removes the ability for minors to be paid a training wage that is less than the minimum wage for the first 90 days of employment. Minors under the age of 16 may not be employed during school hours.
SEA 410	Libraries	Clarifies process for libraries to have their budgets reviewed by the appropriate elected body. Requires libraries to conduct background checks on all applicants and employees age 18 and over. Provides that a library board may issue a local library card without charge or for a reduced fee to a foster child who is not a resident of the library district.

Family Economic Resources

Bill #	Topic	Summary
HEA 1009	Various welfare matters	Provides that money earned by a child or a member of the child's family as a student participating in a paid internship or a work based learning course or apprenticeship is disregarded for purposes of determining eligibility for assistance or the amount of assistance for a child under TANF and SNAP; disregarded for certain Medicaid category populations in determining eligibility for Medicaid; and prorated for certain Medicaid category populations. Changes the amount of equity value in a motor vehicle disregarded for purposes of eligibility in the TANF program from \$5,000 to \$10,000.
HEA 1104	Housing and Community development authority	Repeals the laws governing the microenterprise partnership program fund and microenterprise partnership program. Requires the governing body of a local unit of government to notify IHCD of the creation of an affordable housing fund. Replaces the member of the low income housing trust fund advisory committee appointed by and representing the Indianapolis Coalition for Neighborhood Development with one member appointed by and representing IHCD.
HEA 1111	Unemployment	Provides a new schedule of rates for calendar years after December 31, 2020. Specifies that Schedule C applies for calendar years 2021 through 2025. Provides new contribution rates for calendar years after 2020.
HEA 1153	Governor's workforce cabinet	Requires the governor's workforce cabinet to create a comprehensive strategic plan to ensure alignment of Indiana's primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs and to include early childhood education in the cabinet's review and strategic planning to ensure alignment with employer needs.
HEA 1419	Governor's workforce cabinet	Makes changes to the membership of the governor's workforce cabinet. Requires the governor's workforce cabinet to work with stakeholders from early learning through the workforce to establish alignment and coordination between the early learning advisory committee, state board of education (state board), commission for higher education, and department of workforce development.
SEA 409	Employment of minors	Moves provisions on employment of minors from Title 20 (Education) to Title 22 (Labor and Safety.) Makes changes to the times and amount of hours that minors can work, with 14 and 15-year-olds having one set of limits, and 16- and 17-year-olds having another. Removes rest break requirement for minors and instead directs DOL to develop rest break recommendations. Work permit is no longer required for out-of-state, home school, or CTE students. Changes all references in Indiana code from "child labor" to "youth employment." Requires DOL to develop a database of employers that employ minors. Removes the ability for minors to be paid a training wage that is less than the minimum wage for the first 90 days of employment. Minors under the age of 16 may not be employed during school hours.

Mental Health and Addiction

Bill #	Topic	Summary
HEA 1094	Substance use prevention and recovery	Updates language regarding local coordinating councils and their work on comprehensive community plans for substance use prevention, treatment, and recovery.
HEA 1092	State Medicaid Plan Amendments	Requires OMPP to submit amended Medicaid plan by July 1, 2020 that includes master's level clinicians as treatment plan supervisors. Requires all health insurance companies to submit a report annually to the department of insurance demonstrating its compliance with federal law on parity of mental health coverage with other types of medical treatments.
HEA 1182	HIV, fatality reviews, and syringe exchange programs	HIV: modernizes HIV-related language in statute; requires ISDH to include information on efficacy of abstinence in preventing HIV; requires informed consent for and right to refuse HIV testing; requires patient communication to be understandable; patients testing positive must receive counseling and treatment options; requires notice of rights to hearing and counsel for court-ordered HIV tests; includes reference to CDC and generally accepted medical expertise; includes provisions related to testing when a health care worker may have been exposed. Suicide & Overdose Fatality Review (SOFR) Teams: teams are required to review certain suicide and overdose fatalities; teams may make recommendations for prevention; specifies membership, record keeping, and data entry. Syringe Exchange Programs (SSP): SSPs must provide testing for communicable diseases and offer services or referrals for those who test positive; SSPs must offer referrals for health education and health care; ISDH must provide a report on SSPs to the General Assembly by November 1, 2020; extends the expiration of SSPs to July 1, 2022
HEA 1326	Community mental health centers	Makes a number of changes to the CMHC requirements related to licensing, staffing, supervision, and oversight.
SEA 246	Mental health services	Schools are required to establish a memorandum of understanding with a community mental health center or other mental or behavioral health service provider, or employ a provider. Requires schools to establish referral processes that include parents and keep student records confidential. Schools must certify MOU is in place by 7/1/2021 in order to receive school safety grants.
SEA 273	Indiana behavioral health commission	Establishes the Indiana behavioral health commission to study and make recommendations on mental health issues, availability of services, access to services, data systems, and funding. Final report due Oct. 2022.
SEA 427	Provisional occupational license	Allows military spouses who work in licensed professions to apply for a provisional license upon assignment to Indiana.

Public Health

Bill #	Topic	Summary
HEA 1070	Distracted Driving	A person may not hold or use a telecommunications device while operating a moving motor vehicle, except with hands-free technology or to call 911 in a bona fide emergency. The BMV may not assess points under the point system for a violation occurring before July 1, 2021.
HEA 1129	Infant screening	Requires every infant to be screened for Adrenoleukodystrophy (ALD) at the earliest feasible time. Requires the infant pulse oximetry screening examination to be given according to rules adopted by the state department of health.
HEA 1174	Youth helmet safety	Requires DHS to partner with the state EMS medical director, the state fire marshal, ISDH, and state educational institutions to develop public safety education and outreach programs on youth helmet safety, and includes such programs as applicable uses of the fire prevention and public safety fund.
HEA 1182	HIV, fatality reviews, and syringe exchange programs	HIV: modernizes HIV-related language in statute; requires ISDH to include information on efficacy of abstinence in preventing HIV; requires informed consent for and right to refuse HIV testing; requires patient communication to be understandable; patients testing positive must receive counseling and treatment options; requires notice of rights to hearing and counsel for court-ordered HIV tests; includes reference to CDC and generally accepted medical expertise; includes provisions related to testing when a health care worker may have been exposed. Suicide & Overdose Fatality Review (SOFR) Teams: teams are required to review certain suicide and overdose fatalities; teams may make recommendations for prevention; specifies membership, record keeping, and data entry. Syringe Exchange Programs (SSP): SSPs must provide testing for communicable diseases and offer services or referrals for those who test positive; SSPs must offer referrals for health education and health care; ISDH must provide a report on SSPs to the General Assembly by November 1, 2020; extends the expiration of SSPs to July 1, 2022
HEA 1265	Drinking water testing	All school buildings must test their drinking water for lead before January 1, 2023. School buildings located in Lake County must test their drinking water at least once every two years beginning in 2023. If testing indicates the presence of lead in the water equal to or greater than 15 parts per billion, the school is required to take action to reduce the lead levels in the drinking water to less than 15 ppb. Schools are required to seek state and federal money that is available for lead sampling or testing.
HEA 1392	Physician assistants and nurses	Beginning January 1, 2021, allows a physician assistant or advanced practice registered nurse to certify cause of death and enter data into the death reporting system. Provides that one of the registered nurses appointed to the Indiana state board of nursing (board) must be an advanced practice registered nurse with prescriptive authority. Amends the qualifications of registered nurse members and practical nurse members of the board.
SEA 1	Tobacco and vaping smoking age	Raises the age for smoking and vaping to 21; regulates businesses that sell tobacco and e-liquids, increases fines and penalties for retailers that sell to underage customers.

Public Health

Bill #	Topic	Summary
SEA 238	Various human services matters	Includes additional services and qualified personnel for purposes of the infants and toddlers with disabilities program. Requires child care ministries to have at least one individual who maintains a CPR certification present at all times that a child is in the care of the child care ministry and requires employees and volunteers who are caregivers to maintain current first aid certification.