

PROPOSED AMENDMENT

SB 202 # 9

DIGEST

State educational institutions boards of trustees. Adds one member appointed by the legislative council to the board of trustees of state educational institutions (board of trustees). Provides that a board of trustees member who is a state employee is not entitled to per diem but is entitled to reimbursement for traveling expenses and other certain expenses.

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION
4 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**
6 **following ten (10)** members:
7 **(1) Nine (9) members** appointed by the governor as follows:
8 ~~(1)~~ **(A)** Six (6) members who must be at large.
9 ~~(2)~~ **(B)** Two (2) members who must be alumni of Ball State
10 University.
11 ~~(3)~~ **(C)** One (1) member who must be a Ball State University
12 student.
13 **(2) One (1) at-large member appointed by the legislative**
14 **council who is not a member of the general assembly.**
15 SECTION 2. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION
16 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2024]: Sec. 9. A vacancy occurring on the board of trustees from
18 death, incapacitation, or resignation shall be filled by appointment of
19 the ~~governor~~ **appropriate appointing authority** for the unexpired
20 term. Vacancies in offices held by alumni members shall be filled from
21 nominees submitted by the Ball State University alumni council.
22 SECTION 4. IC 21-20-3-2, AS ADDED BY P.L.2-2007, SECTION
23 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2024]: Sec. 2. The board of trustees has ~~nine (9)~~ **ten (10)** members.
25 SECTION 6. IC 21-20-3-12, AS AMENDED BY P.L.29-2012,
26 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2024]: Sec. 12. (a) The governor shall appoint five (5)
2 members of the board of trustees. ~~for~~

3 **(b) The legislative council shall appoint one (1) at-large member**
4 **of the board of trustees who is not a member of the general**
5 **assembly.**

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

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

13 SECTION 7. IC 21-21-3-2, AS ADDED BY P.L.2-2007, SECTION
14 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**
16 **following ten (10)** trustees:

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

18 ~~(1)~~ **(A)** Seven (7) competent individuals, one (1) of whom
19 must be a student.

20 ~~(2)~~ **(B)** Two (2) competent individuals who are alumni of
21 Indiana State University nominated by the alumni council of
22 Indiana State University.

23 **(2) One (1) at-large member appointed by the legislative**
24 **council who is not a member of the general assembly.**

25 SECTION 9. IC 21-21-3-9, AS ADDED BY P.L.2-2007, SECTION
26 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
27 1, 2024]: Sec. 9. (a) The ~~governor~~ **appropriate appointing authority**
28 shall fill a vacancy occurring in the board of trustees from death,
29 resignation, or removal from the state for the unexpired term of the
30 retiring trustee.

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

33 SECTION 10. IC 21-22-3-1, AS ADDED BY P.L.2-2007,
34 SECTION 263, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2024]: Sec. 1. Ivy Tech Community College
36 shall be governed by a state board of trustees appointed by the governor
37 **and the legislative council as provided under section 3 of this**
38 **chapter.**

39 SECTION 11. IC 21-22-3-3, AS AMENDED BY P.L.174-2018,
40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2024]: Sec. 3. (a) The number of members of the state board
 2 of trustees must equal the number of regions established by the state
 3 board of trustees plus ~~one (1)~~ **two (2)** additional ~~member,~~ **members,**
 4 but shall not exceed ~~fifteen (15)~~ **sixteen (16)** total members.

5 **(b) The legislative council shall appoint one (1) at-large member**
 6 **to the state board of trustees who is not a member of the general**
 7 **assembly. The governor shall appoint the remaining members**
 8 **described in subsection (a).**

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

12 **(d) Each member of the state board of trustees appointed by the**
 13 **governor must have knowledge or experience in one (1) or more of the**
 14 **following areas:**

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

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

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

28 SECTION 12. IC 21-22-3-4, AS AMENDED BY P.L.174-2018,
 29 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 4. The ~~governor~~ **appropriate appointing**
 31 **authority** shall fill all vacancies on the state board of trustees. All
 32 members of the state board of trustees who are serving on July 1, 2018,
 33 are entitled to serve until the ~~ends~~ **end** of their terms. At the end of a
 34 trustee's term or otherwise upon the occurrence of a vacancy, the
 35 ~~governor~~ **appropriate appointing authority** may appoint a trustee in
 36 accordance with section 3 of this chapter.

37 SECTION 13. IC 21-23-3-1, AS ADDED BY P.L.2-2007,
 38 SECTION 264, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of
 40 ~~ten (10)~~ **eleven (11)** 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 14. 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, 2024]: 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) **One (1) at-large member shall be appointed to the board of**
13 **trustees by the legislative council. The member appointed under**
14 **this subsection may not be a member of the general assembly.**

15 SECTION 15. IC 21-23-3-4 IS REPEALED [EFFECTIVE JULY 1,
16 2024]. ~~Sec. 4. Seven (7) of the trustees shall be appointed by the~~
17 ~~governor.~~

18 SECTION 16. 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, 2024]: 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 17. 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, 2024]: 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 **whom the governor or legislative council**

1 **appointed.**

2 SECTION 18. IC 21-24-3-2, AS ADDED BY P.L.2-2007,
3 SECTION 265, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees consists of
5 ~~nine (9)~~ **ten (10)** members who shall serve terms of four (4) years.
6 However, the term of a student member of the board of trustees is two
7 (2) years.

8 SECTION 19. IC 21-24-3-4, AS ADDED BY P.L.2-2007,
9 SECTION 265, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2024]: Sec. 4. The **members of the** board of
11 trustees **appointed by the governor** must include at least the
12 following:

- 13 (1) One (1) member who is an alumnus of the University of
14 Southern Indiana or an alumnus of the regional campus.
15 (2) One (1) member who is a full-time student in good standing
16 enrolled in the University of Southern Indiana.
17 (3) One (1) member who is a resident of Vanderburgh County.

18 SECTION 20. IC 21-24-3-5, AS ADDED BY P.L.2-2007,
19 SECTION 265, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint
21 **eight (8)** of the members of the board of trustees.

22 **(b) The legislative council shall appoint one (1) at-large member**
23 **to the board of trustees. The member appointed under this**
24 **subsection may not be a member of the general assembly.**

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

28 SECTION 21. IC 21-25-3-1, AS ADDED BY P.L.2-2007,
29 SECTION 266, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of
31 ~~ten (10)~~ **eleven (11)** trustees.

32 SECTION 22. IC 21-25-3-2, AS ADDED BY P.L.2-2007,
33 SECTION 266, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** Nine (9) members of the
35 board of trustees shall be appointed by the governor, ~~one (1)~~ **of whom**
36 **must be a resident of Knox County and one (1) of whom** must be an
37 alumnus of Vincennes University. In addition, the governor shall
38 appoint one (1) trustee who is a full-time student of Vincennes
39 University during the student's term.

40 **(b) The legislative council shall appoint one (1) at-large member**

1 **to the board of trustees. The member appointed under this**
 2 **subsection may not be a member of the general assembly."**

3 Page 4, between lines 9 and 10, begin a new paragraph and insert:
 4 "SECTION 30. IC 21-38-2-1, AS ADDED BY P.L.2-2007,
 5 SECTION 279, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section applies to the
 7 boards of trustees of the following state educational institutions:

- 8 (1) Indiana University.
 9 (2) Purdue University.
 10 (3) Indiana State University.
 11 (4) Ball State University.

12 (b) **Except as provided in section 7 of this chapter**, each member
 13 of the board of trustees of a state educational institution is entitled to
 14 the minimum salary per diem provided by IC 4-10-11-2.1(b). The
 15 member is also entitled to reimbursement for traveling expenses as
 16 provided under IC 4-13-1-4 and other expenses actually incurred in
 17 connection with the member's duties as provided in the state policies
 18 and procedures established by the Indiana department of administration
 19 and approved by the budget agency.

20 SECTION 31. IC 21-38-2-3, AS AMENDED BY P.L.3-2008,
 21 SECTION 145, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) **Except as provided in**
 23 **section 7 of this chapter**, a member of the board of trustees of Ivy
 24 Tech Community College is entitled to the minimum salary per diem
 25 provided by IC 4-10-11-2.1(b), unless the member holds another
 26 position that is considered a lucrative office within the meaning of
 27 Article 2, Section 9 of the Constitution of the State of Indiana.

28 (b) A member of the board of trustees of Ivy Tech Community
 29 College is entitled to reimbursement for travel expenses and other
 30 expenses actually incurred in connection with the member's duties as
 31 provided in the state policies and procedures established by the Indiana
 32 department of administration and approved by the budget agency.

33 SECTION 32. IC 21-38-2-5, AS ADDED BY P.L.2-2007,
 34 SECTION 279, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2024]: Sec. 5. **Except as provided in section**
 36 **7 of this chapter**, each member of the board of trustees of the
 37 University of Southern Indiana is entitled to the minimum salary per
 38 diem provided by IC 4-10-11-2.1(b). Each member is also entitled to
 39 reimbursement for traveling expenses and other expenses actually
 40 incurred in connection with the member's duties, as provided in the

1 state travel policies and procedures established by the department of
2 administration and approved by the budget agency.

3 SECTION 33. IC 21-38-2-6, AS ADDED BY P.L.2-2007,
4 SECTION 279, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except as provided in section**
6 **7 of this chapter**, the members of the board of trustees of Vincennes
7 University shall serve without compensation, except that each member
8 is entitled to the salary per diem as provided by IC 4-10-11-2.1 and to
9 reimbursement for travel, lodging, meals, and other expenses as
10 provided in the state travel policies and procedures established by the
11 Indiana department of administration and approved by the budget
12 agency.

13 SECTION 34. IC 21-38-2-7 IS ADDED TO THE INDIANA CODE
14 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2024]: Sec. 7. **Any member of a board of trustees of a state**
16 **educational institution who is a state employee:**

17 **(1) is not entitled to a minimum salary per diem provided by**
18 **IC 4-10-11-2.1; and**
19 **(2) is entitled to reimbursement for traveling expenses as**
20 **provided under IC 4-13-1-4 and other expenses actually**
21 **incurred in connection with the member's duties as provided**
22 **in the state policies and procedures established by the Indiana**
23 **department of administration and approved by the budget**
24 **agency."**

25 Renumber all SECTIONS consecutively.
(Reference is to SB 202 as introduced.)