

# HOUSE BILL No. 1366

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-17.2-7.2.

**Synopsis:** Early childhood education pilot program. Provides that if Indiana legalizes sports wagering, a portion of state proceeds from the regulation of sports wagering shall be appropriated to increase annual funding for early education grants in Marion County, beginning in the state fiscal year following the year in which sports wagering is legalized. Provides that the amount of the increase is equal to the amount required to award twice the number of grants in Marion County as are awarded in Marion County in the state fiscal year in which sports wagering is legalized.

**Effective:** July 1, 2019.

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January 14, 2019, read first time and referred to Committee on Ways and Means.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1366

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

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

1 SECTION 1. IC 12-17.2-7.2-7, AS AMENDED BY P.L.184-2017,  
2 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: 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 the counties described in subsections (c)  
13 and (d); and  
14 (2) potential eligible providers or existing eligible providers as  
15 described in section 7.4 of this chapter.  
16 The office shall ensure that the counties selected include a population  
17 of eligible children sufficient to conduct the longitudinal study under



1 section 12 of this chapter.

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

- 4 (1) Allen.
- 5 (2) Jackson.
- 6 (3) Lake.
- 7 (4) Marion.
- 8 (5) Vanderburgh.

9 The total amount of grants the office awards to eligible children in a  
10 county listed in this subsection during a state fiscal year may not be  
11 less than the total amount of grants the office awarded to eligible  
12 children in that county during the immediately preceding state fiscal  
13 year, unless the office determines that there is an insufficient number  
14 of eligible children or eligible providers in the county to justify the total  
15 amount of grants for that county.

16 (d) After June 30, 2017, in addition to the counties listed under  
17 subsection (c), the prekindergarten pilot program includes the  
18 following:

- 19 (1) Eligible providers in fifteen (15) additional counties.
- 20 (2) Eligible providers described in subsection (h) regardless of  
21 whether the eligible providers are located in a county described  
22 in subsection (c) or subdivision (1).

23 In determining which counties are designated as pilot counties under  
24 subdivision (1), the office shall give preference to counties that are  
25 primarily rural.

26 (e) Subject to the requirements of this chapter, the office shall  
27 determine:

- 28 (1) the eligibility requirements, application process, and selection  
29 process for awarding grants under the prekindergarten pilot  
30 program;
- 31 (2) the administration and reporting requirements for:
  - 32 (A) eligible providers; and
  - 33 (B) potential eligible providers or existing eligible providers;  
34 participating in the prekindergarten pilot program; and
- 35 (3) with the assistance of the early learning advisory committee,  
36 an appropriate outcomes based accountability system for:
  - 37 (A) eligible providers; and
  - 38 (B) potential eligible providers or existing eligible providers.

39 (f) Before implementing the prekindergarten pilot program, the  
40 office shall submit the provisions of the prekindergarten pilot program  
41 to the state board of education for the state board of education's review  
42 and comment.



1 (g) **Subject to section 8.5 of this chapter**, the office shall, subject  
 2 to the availability of funding, determine the number of eligible children  
 3 who will participate in the prekindergarten pilot program.

4 (h) An eligible provider that:

5 (1) received a matching grant under IC 12-17.2-3.6 (before its  
 6 repeal) in the state fiscal year beginning after June 30, 2016, and  
 7 ending before July 1, 2017;

8 (2) meets the requirements as an eligible provider under this  
 9 chapter; and

10 (3) participates in the prekindergarten pilot program each year  
 11 continuously, beginning with the year the eligible provider is  
 12 eligible to participate in the prekindergarten pilot program under  
 13 this subsection;

14 is eligible to participate in the prekindergarten pilot program regardless  
 15 of whether the eligible provider is located in a county described in  
 16 subsection (c) or (d)(1). If an eligible provider does not participate in  
 17 the program each year continuously as described in subdivision (3), the  
 18 eligible provider is not eligible under this subsection to participate in  
 19 the prekindergarten pilot program. However, this subsection does not  
 20 affect the eligibility of an eligible provider that is located in a county  
 21 described in subsection (c) or (d)(1).

22 SECTION 2. IC 12-17.2-7.2-7.1, AS ADDED BY P.L.184-2017,  
 23 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2019]: Sec. 7.1. (a) Except as provided in subsection (b), for  
 25 an eligible child to qualify for a grant under this chapter, the eligible  
 26 child must be a member of a household with an annual income that  
 27 does not exceed one hundred twenty-seven percent (127%) of the  
 28 federal poverty level.

29 (b) Subject to subsection (d) and section 8(a) of this chapter, an  
 30 eligible child who resides in a county described in section 7(c) of this  
 31 chapter may qualify for a grant under this chapter if the following  
 32 apply:

33 (1) The office determines that all eligible children described in  
 34 subsection (a) residing in the county who:

35 (A) applied for a grant under this chapter; and

36 (B) meet the requirements to receive a grant under this  
 37 chapter;

38 have been awarded a grant under this chapter.

39 (2) The eligible child is a member of a household with an annual  
 40 income that does not exceed one hundred eighty-five percent  
 41 (185%) of the federal poverty level.

42 (3) The eligible child meets the other requirements to receive a



- 1 grant under this chapter.
- 2 (c) At least ten percent (10%) but not more than fifty percent (50%)  
 3 of the tuition for eligible children described in subsection (b) under the  
 4 prekindergarten pilot program during the state fiscal year must be paid  
 5 from donations, gifts, grants, bequests, and other funds received from  
 6 a private entity or person or person, from the United States  
 7 government, or from other sources (excluding funds from a grant  
 8 provided under this chapter and excluding other state funding). The  
 9 office may receive and administer grants on behalf of the  
 10 prekindergarten pilot program. The grants shall be distributed by the  
 11 office to fulfill the requirements of this subsection.
- 12 (d) **This subsection does not apply to Marion County in the state**  
 13 **fiscal year beginning July 1 of the calendar year immediately**  
 14 **following the initial year (as defined in section 8.5(b) of this**  
 15 **chapter).** If the office awards grants to eligible children described in  
 16 subsection (b) in a county described in subsection (b), the total amount  
 17 of grants awarded to all eligible children in that county under this  
 18 chapter may not exceed the total of:
- 19 (1) the amount awarded to all eligible children in that county in  
 20 the immediately preceding state fiscal year; plus  
 21 (2) twenty percent (20%) of the amount described in subdivision  
 22 (1).
- 23 SECTION 3. IC 12-17.2-7.2-8.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2019]: **Sec. 8.5. (a) This section applies if the**  
 26 **general assembly enacts a law to legalize sports wagering in**  
 27 **Indiana.**
- 28 (b) **The following definitions apply throughout this section:**
- 29 (1) **"Initial year" means the calendar year in which the**  
 30 **general assembly enacts a law to legalize sports wagering.**
- 31 (2) **"Sports wagering" refers to wagering conducted on**  
 32 **athletic and sporting events involving human competitors.**  
 33 **The term does not include pari-mutuel wagering on horse**  
 34 **racing under IC 4-31 or money spent to participate in paid**  
 35 **fantasy sports under IC 4-33-24.**
- 36 (c) **In each state fiscal year after the initial year, there is**  
 37 **appropriated to the office from the revenue collected by the state**  
 38 **of Indiana from regulation of sports wagering an amount equal to**  
 39 **the remainder of:**
- 40 (1) **the amount required for the office to award the number of**  
 41 **grants in Marion County required under subsection (e)(1);**  
 42 **minus**



- 1           **(2) the amount of grants awarded under this chapter in**  
2           **Marion County in the initial year.**
- 3           **(d) The office shall deposit funds appropriated to the office**  
4           **under subsection (c) in the fund.**
- 5           **(e) In the state fiscal year beginning July 1 of the calendar year**  
6           **immediately following the initial year, the office shall award a**  
7           **number of grants under this chapter in Marion County equal to the**  
8           **lesser of the following:**
- 9           **(1) The result of:**
- 10           **(A) the number of grants awarded under this chapter in**  
11           **Marion County in the initial year; multiplied by**  
12           **(B) two (2).**
- 13           **(2) The number of eligible children in Marion County for**  
14           **whom an eligible provider is available.**
- 15           **(f) In a state fiscal year in which the amount of the**  
16           **appropriation under subsection (c) exceeds the amount needed to**  
17           **award grants to all eligible children in Marion County for whom**  
18           **an eligible provider is available, the office may use any unexpended**  
19           **amount of the appropriation for any purpose for which the fund**  
20           **may be used under section 13.5 of this chapter.**

