

HOUSE BILL No. 1408

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-51.4.

Synopsis: Indiana education scholarship account program. Amends the: (1) definition of "eligible student" for purposes of eligibility under the Indiana education scholarship account program; and (2) grant amount that an eligible student may receive under the program.

Effective: July 1, 2024.

Payne, Prescott, Lindauer, Sweet

January 11, 2024, read first time and referred to Committee on Education.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1408

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 20-51.4-2-4, AS ADDED BY P.L.165-2021,
2 SECTION 180, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: Sec. 4. "Eligible student" refers to an
4 individual who:
5 (1) has legal settlement in Indiana; **and**
6 (2) is at least five (5) years of age and less than twenty-two (22)
7 years of age on the date in the school year specified in
8 IC 20-33-2-7.
9 (3) is a student with a disability at the time the account is
10 established who requires special education and for whom:
11 (A) an individualized education program;
12 (B) a service plan developed under ~~511 IAC 7-34~~; or
13 (C) a choice special education plan developed under ~~511~~
14 ~~IAC 7-49~~;
15 has been developed; and
16 (4) meets the annual income qualification requirement for a
17 choice scholarship student under ~~IC 20-51-1~~.



1 SECTION 2. IC 20-51.4-4-4, AS AMENDED BY P.L.201-2023,
 2 SECTION 224, AND AS AMENDED BY P.L.202-2023, SECTION
 3 53, AND AS AMENDED BY THE TECHNICAL CORRECTIONS
 4 BILL OF THE 2024 GENERAL ASSEMBLY, IS CORRECTED AND
 5 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
 6 Sec. 4. (a) Subject to sections 5 and 10 of this chapter, the annual grant
 7 amount under section 2 of this chapter for an eligible student equals,
 8 subject to subsection (b), ~~ninety percent (90%)~~ of the amount
 9 determined in the last STEP of the following formula:

10 STEP ONE: Determine the school corporation in which the
 11 eligible student has legal settlement.

12 STEP TWO: Determine the amount of state tuition support that
 13 the school corporation identified under STEP ONE is eligible to
 14 receive under IC 20-43-6 for the state fiscal year in which the
 15 immediately preceding school year begins. The amount does not
 16 include amounts provided for special education grants under
 17 IC 20-43-7, career and technical education grants under
 18 IC 20-43-8, ~~or~~ grants under IC 20-43-10, *or an academic*
 19 *performance grant under IC 20-43-10.5.*

20 STEP THREE: Determine the result of:

21 (A) the STEP TWO amount; divided by

22 (B) the current ADM (as defined in IC 20-43-1-10) for the
 23 school corporation identified under STEP ONE for the state
 24 fiscal year used in STEP TWO.

25 (b) An eligible student may choose to receive special education
 26 services from the school corporation required to provide the special
 27 education services to the eligible student under 511 IAC 7-34-1.
 28 However, if an eligible student described in subsection (a) chooses not
 29 to receive special education or related services from a school
 30 corporation required to provide the services to the eligible student
 31 under 511 IAC 7-34-1, the ESA annual grant amount for the eligible
 32 student shall, in addition to the amount described in subsection (a),
 33 include the amount the school corporation would receive under
 34 IC 20-43-7 for the eligible student if the eligible student attended the
 35 school corporation.

36 (c) The ESA annual grant amounts provided in subsection (a) shall
 37 be rounded as provided in IC 20-43-3-1(4).

