

SENATE BILL No. 189

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-43-2-7.5.

Synopsis: K-12 funding. Permits the budget agency to transfer from the state tuition reserve account to the state general fund the amount necessary to offset a reduction in basic tuition support, special education grants, or career and technical education grants as a result of actual enrollment counts exceeding the enrollment projection estimates. Limits the transfer to \$25,000,000 in a state fiscal year.

Effective: Upon passage.

Mishler

January 3, 2018, read first time and referred to Committee on Appropriations.



Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 189

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-43-2-7.5, AS AMENDED BY P.L.217-2017,
2 SECTION 118, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) Before July 1 of each
4 year, the budget agency, with the assistance of the department, shall
5 estimate the amount of the distributions that will be made for choice
6 scholarships for the following state fiscal year.

7 (b) In a state fiscal year, ~~beginning after June 30, 2016,~~ the budget
8 agency may transfer money from the state tuition reserve account to the
9 state general fund if the budget director, after review by the budget
10 committee, makes a determination that the amount of the distribution
11 for that state fiscal year for:

12 (1) basic tuition support has been reduced under section 3 of this
13 chapter because the amount of the distributions for choice
14 scholarships for the state fiscal year; or

15 (2) **basic tuition support, special education grants, or career**
16 **and technical education grants has been reduced under**
17 **section 3 of this chapter because the ADM count, the count of**



1 **eligible pupils enrolled in special education programs, or the**
 2 **count of students for career and technical education grants;**
 3 exceeds the latest estimate prepared by the legislative services agency
 4 and provided to members of the general assembly before May 1 of the
 5 most recent odd-numbered year concerning ~~the amount of the~~
 6 ~~distributions for choice scholarships~~ **these amounts** for the state fiscal
 7 year beginning July 1 of the particular state fiscal year.

8 (c) The maximum amount that may be transferred to the state
 9 general fund under ~~this subsection~~ **(b)(1)** for the state fiscal year may
 10 not exceed the lesser of:

- 11 (1) the amount of the reduction in basic tuition support
 12 distributions described in ~~this subsection;~~ **subsection (b)(1);** or
 13 (2) twenty-five million dollars (\$25,000,000).

14 (d) **The maximum amount that may be transferred to the state**
 15 **general fund under subsection (b)(2) for the state fiscal year may**
 16 **not exceed the lesser of:**

- 17 (1) **the amount of the reduction in distributions described in**
 18 **subsection (b)(2); or**
 19 (2) **twenty-five million dollars (\$25,000,000) for the state fiscal**
 20 **year.**

21 (e) Any amounts transferred under this ~~subsection~~ **section** shall be
 22 used to augment the appropriation for state tuition support for the state
 23 fiscal year and shall be distributed to school corporations to restore the
 24 distributions for basic tuition support, **special education grants,**
 25 **career and technical education grants, or a combination of these**
 26 **distributions** that are reduced under section 3 of this chapter.

27 ~~(f)~~ **(f)** Transfers under this section are in addition to any transfers
 28 made from the state tuition reserve account under IC 4-12-1-15.7 or
 29 any other law.

30 ~~(g)~~ **(g)** This section expires June 30, 2019.

31 **SECTION 2. An emergency is declared for this act.**

