



January 17, 2018

SENATE BILL No. 189

DIGEST OF SB 189 (Updated January 11, 2018 9:56 am - DI 73)

Citations Affected: IC 20-43.

Synopsis: K-12 funding. Provides that the budget agency shall transfer from the state tuition reserve account to the state general fund the amount necessary to offset a reduction in state tuition support if: (1) basic tuition support has been reduced because the amount of choice scholarships exceeds the estimated amount prepared by the legislative services agency and provided to members of the general assembly before May 1 of the most recent odd-numbered year; or (2) basic tuition support has been reduced because the average daily membership (ADM), the special education student count, or the career and technical education student count exceeds the estimated count prepared by the legislative services agency and provided to members of the general assembly before May 1 of the most recent odd-numbered year. (Under current law, the budget agency may make such a transfer if basic tuition support has been reduced because the amount of choice scholarships exceeds the estimated amount.) Provides that the amount of the transfer for a state fiscal year is equal to the lesser of: (1) the amount of reductions in state tuition support that result because the amount of choice scholarships or the pupil counts exceed the estimated amount; or (2) \$25,000,000.

Effective: Upon passage.

Mishler

January 3, 2018, read first time and referred to Committee on Appropriations.
January 16, 2018, amended, reported favorably — Do Pass.

SB 189—LS 6504/DI 58



January 17, 2018

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~~ **shall** transfer money from the state tuition reserve account
9 to the state general fund if the budget director, after review by the
10 budget committee, makes a determination that the amount of the
11 distribution 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 has been reduced under section 3 of**
16 **this chapter because the ADM count, the count of eligible**
17 **pupils enrolled in special education programs, or the count of**

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- 1 **students for career and technical education grants;**
 2 exceeds the latest estimate prepared by the legislative services agency
 3 and provided to members of the general assembly before May 1 of the
 4 most recent odd-numbered year concerning ~~the amount of the~~
 5 ~~distributions for choice scholarships~~ **these amounts** for the state fiscal
 6 year beginning July 1 of the particular state fiscal year.
- 7 (c) The ~~maximum amount that may~~ **amount that shall** be
 8 transferred to the state general fund under ~~this subsection~~ **(b)** for the
 9 state fiscal year ~~may not exceed~~ **is equal to** the lesser of:
- 10 (1) the amount of the reduction in ~~basic state~~ **state** tuition support
 11 distributions ~~described in this subsection; under section 3 of this~~
 12 **chapter; or**
- 13 (2) twenty-five million dollars (\$25,000,000).
- 14 (d) Any amounts transferred under this ~~subsection~~ **section** shall be
 15 used to augment the appropriation for state tuition support for the state
 16 fiscal year and shall be distributed to school corporations to restore the
 17 distributions ~~for basic tuition support~~, that are reduced under section 3
 18 of this chapter.
- 19 ~~(e)~~ **(e)** Transfers under this section are in addition to any transfers
 20 made from the state tuition reserve account under IC 4-12-1-15.7 or
 21 any other law.
- 22 ~~(d)~~ **(f)** This section expires June 30, 2019.
- 23 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 189, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 8, strike "may" and insert "**shall**".

Page 1, line 15, delete "support, special education grants, or career" and insert "**support**".

Page 1, line 16, delete "and technical education grants".

Page 2, line 8, strike "maximum amount that may" and insert "**amount that shall**".

Page 2, line 9, delete "(b)(1)" and insert "**(b)**".

Page 2, line 9, strike "may".

Page 2, line 10, strike "not exceed" and insert "**is equal to**".

Page 2, line 11, strike "basic" and insert "**state**".

Page 2, line 12, strike "described in".

Page 2, line 12, delete "subsection (b)(1);" and insert "**under section 3 of this chapter;**".

Page 2, delete lines 14 through 20.

Page 2, line 21, delete "(e)" and insert "**(d)**".

Page 2, line 24, strike "for basic tuition support,".

Page 2, line 24, delete "special education grants,".

Page 2, delete line 25.

Page 2, line 26, delete "distributions".

Page 2, line 27, delete "(f)" and insert "**(e)**".

Page 2, line 30, delete "(g)" and insert "**(f)**".

and when so amended that said bill do pass.

(Reference is to SB 189 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 12, Nays 0.

