



January 26, 2016

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## SENATE BILL No. 330

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DIGEST OF SB 330 (Updated January 21, 2016 2:03 pm - DI 73)

**Citations Affected:** IC 20-43.

**Synopsis:** Tuition reserve transfers. Amends the statute allowing transfers from the state tuition reserve account to the state general fund to be made during the state fiscal year beginning in 2015 and in the state fiscal year beginning in 2016 if distributions for choice scholarships cause a reduction in state tuition support. Provides that the budget agency may transfer money from the state tuition reserve account to the state general fund if the budget director, after review by the budget committee, makes a determination that the tuition support distribution for the state fiscal year has been reduced because the amount of the distributions for choice scholarships for the state fiscal year exceeds the amount that the legislative services agency before May 1, 2015, estimated would be made for such distributions for that state fiscal year.

**Effective:** Upon passage.

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### Mishler, Kenley, Charbonneau

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January 7, 2016, read first time and referred to Committee on Appropriations.  
January 25, 2016, reported favorably — Do Pass.

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January 26, 2016

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

## SENATE BILL No. 330

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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 20-43-2-7.5, AS AMENDED BY P.L.213-2015,  
2 SECTION 209, 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 the state fiscal year beginning July 1, 2014,~~ the budget agency  
8 may transfer money from the state tuition reserve account to the state  
9 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 basic tuition support has been reduced  
12 under section 3 of this chapter because the amount of the distributions  
13 for the state fiscal year for choice scholarships has exceeded the  
14 estimated amount of the distributions for choice scholarships for the  
15 state fiscal year, as determined under subsection (a). The maximum  
16 amount that may be transferred to the state general fund under this  
17 subsection for the state fiscal year may not exceed the lesser of:

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

4           Any amounts transferred under this subsection shall be used to  
 5           augment the appropriation for state tuition support for the state fiscal  
 6           year and shall be distributed to school corporations to restore the  
 7           distributions for basic tuition support that are reduced under section 3  
 8           of this chapter.

9           ~~(c)~~ **(b)** In the state fiscal year beginning July 1, 2015, the budget  
 10          agency may transfer money from the state tuition reserve account to the  
 11          state general fund if the budget director, after review by the budget  
 12          committee, makes a determination that the amount of the distribution  
 13          for that state fiscal year for basic tuition support has been reduced  
 14          under section 3 of this chapter because the ~~amount of the distributions~~  
 15          for the state fiscal year for choice scholarships has exceeded the  
 16          estimated amount of the distributions for choice scholarships for the  
 17          state fiscal year as ~~determined under subsection (a)~~ **exceeds the latest**  
 18          **estimate prepared by the legislative services agency and provided**  
 19          **to members of the general assembly before May 1, 2015,**  
 20          **concerning the amount of the distributions for choice scholarships**  
 21          **for the state fiscal year beginning July 1, 2015.** The maximum  
 22          amount that may be transferred to the state general fund under this  
 23          subsection for the state fiscal year may not exceed the lesser of:

- 24           (1) the amount of the reduction in basic tuition support  
 25           distributions described in this subsection; or  
 26           (2) twenty-five million dollars (\$25,000,000).

27          Any amounts transferred under this subsection shall be used to  
 28          augment the appropriation for state tuition support for the state fiscal  
 29          year and shall be distributed to school corporations to restore the  
 30          distributions for basic tuition support that are reduced under section 3  
 31          of this chapter.

32          ~~(d)~~ **(c)** In the state fiscal year beginning July 1, 2016, the budget  
 33          agency may transfer money from the state tuition reserve account to the  
 34          state general fund if the budget director, after review by the budget  
 35          committee, makes a determination that the amount of the distribution  
 36          for that state fiscal year for basic tuition support has been reduced  
 37          under section 3 of this chapter because the ~~amount of the distributions~~  
 38          for the state fiscal year for choice scholarships has exceeded the  
 39          estimated amount of the distributions for choice scholarships for the  
 40          state fiscal year as ~~determined under subsection (a)~~ **exceeds the latest**  
 41          **estimate prepared by the legislative services agency and provided**  
 42          **to members of the general assembly before May 1, 2015,**



1 **concerning the amount of the distributions for choice scholarships**  
2 **for the state fiscal year beginning July 1, 2016.** The maximum  
3 amount that may be transferred to the state general fund under this  
4 subsection for the state fiscal year may not exceed the lesser of:

- 5 (1) the amount of the reduction in basic tuition support  
6 distributions described in this subsection; or  
7 (2) twenty-five million dollars (\$25,000,000).

8 Any amounts transferred under this subsection shall be used to  
9 augment the appropriation for state tuition support for the state fiscal  
10 year and shall be distributed to school corporations to restore the  
11 distributions for basic tuition support that are reduced under section 3  
12 of this chapter.

13 ~~(c)~~ **(d)** Transfers under this section are in addition to any transfers  
14 made from the state tuition reserve account under IC 4-12-1-15.7 or  
15 any other law.

16 ~~(f)~~ **(e)** This section expires June 30, 2017.

17 **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. 330, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 330 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 8, Nays 0

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