

# SENATE BILL No. 285

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 21-2-15-4.

**Synopsis:** Capital improvements for schools. Allows not more than 5% of the levy for a school capital projects fund to be used for construction, repair, replacement, remodeling, or maintenance of school sports facilities.

**Effective:** July 1, 1998.

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January 7, 1998, read first time and referred to Committee on Finance.

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Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## SENATE BILL No. 285

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

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

- 1 SECTION 1. IC 21-2-15-4, AS AMENDED BY P.L.25-1995,  
2 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 4. (a) A school corporation may establish a capital  
4 projects fund.  
5 (b) With respect to any facility used or to be used by the school  
6 corporation (other than a facility used or to be used primarily for  
7 interscholastic or extracurricular activities, **except as provided in**  
8 **subsection (i)**), the fund may be used to pay for the following:  
9 (1) Planned construction, repair, replacement, or remodeling.  
10 (2) Site acquisition.  
11 (3) Site development.  
12 (4) Repair, replacement, or site acquisition that is necessitated by  
13 an emergency.  
14 (c) The fund may be used to pay for the purchase, lease, repair, or  
15 maintenance of equipment to be used by the school corporation (other  
16 than vehicles to be used for any purpose and equipment to be used  
17 primarily for interscholastic or extracurricular activities, **except as**

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1 **provided in subsection (i).**

- 2 (d) The fund may be used for any of the following purposes:
- 3 (1) To purchase, lease, upgrade, maintain, or repair computer
- 4 hardware, computer software, or computer hardware and
- 5 software.
- 6 (2) To pay for the services of full-time or part-time computer
- 7 maintenance employees.
- 8 (3) To conduct nonrecurring inservice technology training of
- 9 school employees.
- 10 (4) To fund the payment of advances, together with interest on
- 11 the advances, from the common school fund for educational
- 12 technology programs under IC 21-1-5.
- 13 (5) To fund the acquisition of any equipment or services
- 14 necessary:
- 15 (A) to implement the technology preparation curriculum
- 16 under IC 20-10.1-5.6;
- 17 (B) to participate in a program to provide educational
- 18 technologies, including computers, in the homes of students
- 19 (commonly referred to as "the buddy system project") under
- 20 IC 20-10.1-25, the 4R's technology program under
- 21 IC 20-10.1-25, or any other program under the educational
- 22 technology program described in IC 20-10.1-25; or
- 23 (C) to obtain any combination of equipment or services
- 24 described in clauses (A) and (B).
- 25 (e) The fund may be used to purchase:
- 26 (1) building sites;
- 27 (2) buildings in need of renovation;
- 28 (3) building materials; and
- 29 (4) equipment;
- 30 for the use of vocational building trades classes to construct new
- 31 buildings and to remodel existing buildings.
- 32 (f) The fund may be used for leasing or renting of existing real
- 33 estate, excluding payments authorized under IC 21-5-11 and
- 34 IC 21-5-12.
- 35 (g) The fund may be used to pay for services of the school
- 36 corporation employees that are bricklayers, stone masons, cement
- 37 masons, tile setters, glaziers, insulation workers, asbestos removers,
- 38 painters, paperhangers, drywall applicators and tapers, plasterers, pipe
- 39 fitters, roofers, structural and steel workers, metal building assemblers,
- 40 heating and air conditioning installers, welders, carpenters, electricians,
- 41 or plumbers, as these occupations are defined in the United States
- 42 Department of Labor, Employment and Training Administration,



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1 Dictionary of Occupational Titles, Fourth Edition, Revised 1991, if:

2 (1) the employees perform construction of, renovation of,  
3 remodeling of, repair of, or maintenance on the facilities and  
4 equipment specified in subsections (b) and (c);

5 (2) the school corporation's total annual salary and benefits paid  
6 by the school corporation to employees described in this  
7 subsection are at least six hundred thousand dollars (\$600,000);  
8 and

9 (3) the payment of the employees described in this subsection is  
10 included as part of the proposed capital projects fund plan  
11 described in section 5(a) of this chapter.

12 However, the number of employees that are covered by this subsection  
13 is limited to the number of employee positions described in this  
14 subsection that existed on January 1, 1993. For purposes of this  
15 subsection, maintenance does not include janitorial or comparable  
16 routine services normally provided in the daily operation of the  
17 facilities or equipment.

18 (h) The fund may be used to pay for energy saving contracts  
19 entered into by a school corporation under IC 36-1-12.5.

20 (i) **Money from the fund may be used to pay for the**  
21 **construction, repair, replacement, remodeling, or maintenance of**  
22 **a school sports facility. However, a school corporation's**  
23 **expenditures in a calendar year under this subsection may not**  
24 **exceed five percent (5%) of the property tax revenues levied for the**  
25 **fund in the calendar year.**

26 SECTION 2. [EFFECTIVE JULY 1, 1998] IC 21-2-15-4, as  
27 amended by this act, applies only to budget years beginning after  
28 December 31, 1998.

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