

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 100 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 education and to make an appropriation.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 20-8.1-9.5 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 1998]:
- 9 **Chapter 9.5. Credits for Textbooks for Students**
- 10 **Sec. 1. As used in this chapter, "accredited nonpublic school"**
- 11 **means a nonpublic school, as defined in IC 20-10.1-1-3, that:**
- 12 **(1) voluntarily seeks; and**
- 13 **(2) receives;**
- 14 **accreditation as authorized under IC 20-1-1-6(a)(5).**
- 15 **Sec. 2. As used in this chapter, "school corporation" has the**
- 16 **meaning set forth in IC 36-1-2-17.**
- 17 **Sec. 3. As used in this chapter, "textbook" means**
- 18 **systematically organized material, designed to provide a specific**
- 19 **level of instruction in a subject matter category. The term refers to**
- 20 **the following:**
- 21 **(1) Instructional material that is used by students for more**
- 22 **than one (1) year, including material used in special**
- 23 **education and gifted and talented classes.**
- 24 **(2) Workbooks and consumable instructional material that**
- 25 **is used by students for not more than one (1) school year,**
- 26 **including workbooks, consumable textbooks, and other**
- 27 **consumable instructional materials that are used in special**
- 28 **education and gifted and talented classes.**
- 29 **(3) Developmentally appropriate material used instead of**
- 30 **items described in subdivisions (1) through (2) for**
- 31 **instruction in:**
- 32 **(A) kindergarten through grade 3;**
- 33 **(B) laboratories;**

- 1 (C) literature programs;
- 2 (D) special education; or
- 3 (E) gifted and talented classes.

4 **Sec. 4.** For school years beginning in 1998 and thereafter, a
5 student or the student's parent, guardian, or custodian is entitled
6 to a credit against the first fifty dollars (\$50) of charges imposed by
7 a school corporation or an accredited nonpublic school for
8 textbooks. The school corporation or accredited nonpublic school
9 shall deduct the credit from the charges imposed on a student or
10 the student's parent, guardian, or custodian until the entire credit
11 is used. A student or the student's parent, guardian, or custodian
12 is not entitled to a refund if the credit exceeds the amount due.

13 **Sec. 5.** There is no financial eligibility requirement for a
14 student, parent, guardian, or custodian to qualify for the credit
15 under this chapter. However, this chapter does not apply to
16 students who are eligible for free textbook rental under another
17 state funded program.

18 **Sec. 6.** To qualify for a reimbursement under this chapter, the
19 school corporation or accredited nonpublic school must provide to
20 the payor a statement for rental fees or other costs for textbooks or
21 materials. A copy of the statement must be retained by the school
22 corporation or accredited nonpublic school to verify its claim for
23 reimbursement.

24 **Sec. 7.** A school corporation or an accredited nonpublic school
25 granting a credit to a student or the student's parent, guardian, or
26 custodian under this chapter may submit a claim for
27 reimbursement for the actual amount of the credits given under
28 this chapter to the department of education.

29 **Sec. 8.** The department of education shall provide an
30 application form prescribed by the state board of accounts. The
31 department of education shall establish a filing date and
32 procedures for the submission and payment of claims. A claim
33 submitted under this chapter must be paid within sixty (60) days
34 after the claim is properly filed. The department of education shall
35 provide the auditor of state with the information necessary to issue
36 warrants to make the reimbursements. A reimbursement under
37 this chapter may be made by electronic funds transfer.

38 **Sec. 9.** The department may adopt rules under IC 4-22-2 to
39 implement this chapter.

1 **Sec. 10. There is annually appropriated from the state general**
2 **fund the amount necessary to pay claims submitted under this**
3 **chapter each year.**

(Reference is to SB 100 as printed January 23, 1998.)

Senator BLADE