

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 81, between lines 13 and 14, begin a new line and insert:
- 2 **"School Circuit Breaker Replacement Credits**
- 3 **Total Operating Expense 50,000,000 50,000,000".**
- 4 Page 117, between lines 16 and 17, begin a new paragraph and
- 5 insert:
- 6 "SECTION 60. IC 20-20-36.3 IS ADDED TO THE INDIANA
- 7 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
- 8 [EFFECTIVE UPON PASSAGE]:
- 9 **Chapter 36.3. Levy Replacement Grants**
- 10 **Sec. 1. As used in this chapter, "credit" refers to a credit**
- 11 **granted under IC 6-1.1-20.6.**
- 12 **Sec. 2. As used in this chapter, "circuit breaker replacement**
- 13 **amount" refers to the amount determined under section 5 of this**
- 14 **chapter.**
- 15 **Sec. 3. As used in this chapter, "grant" refers to a grant**
- 16 **distributed under this chapter.**
- 17 **Sec. 4. (a) Notwithstanding any other provision, a school**
- 18 **corporation is eligible for a grant under this chapter in a particular**
- 19 **year only if for that year the school corporation's total property**
- 20 **tax revenue is expected to be reduced by more than two percent**
- 21 **(2%) because of the application of credits in that year.**
- 22 **(b) Subject to subsection (a), an eligible school corporation is**
- 23 **entitled to a grant in:**
- 24 **(1) 2011 equal to the eligible school corporation's circuit**

1 breaker replacement amount for property taxes imposed for
 2 the March 1, 2010, and January 15, 2011, assessment dates;
 3 and

4 (2) 2012 equal to the eligible school corporation's circuit
 5 breaker replacement amount for property taxes imposed for
 6 the March 1, 2011, and January 15, 2012, assessment dates.

7 **Sec. 5. (a) An eligible school corporation's circuit breaker**
 8 **replacement amount for 2011 is equal to the result determined**
 9 **under STEP FOUR of the following formula:**

10 **STEP ONE: Determine the amount of credits granted against**
 11 **the eligible school corporation's combined levy for the eligible**
 12 **school corporation's debt service fund, capital projects fund,**
 13 **transportation fund, school bus replacement fund, and racial**
 14 **balance fund.**

15 **STEP TWO: Determine the sum of the STEP ONE amounts**
 16 **for all eligible school corporations in Indiana.**

17 **STEP THREE: Divide the lesser of the STEP TWO amount**
 18 **or fifty million dollars (\$50,000,000) by the STEP TWO**
 19 **amount, rounding to the nearest ten thousandth (0.0001).**

20 **STEP FOUR: Multiply the STEP THREE result by the STEP**
 21 **ONE amount, rounding to the nearest dollar (\$1).**

22 **(b) An eligible school corporation is entitled to a grant under**
 23 **this chapter in a calendar year. The grant is equal to the eligible**
 24 **school corporation's circuit breaker replacement amount, as**
 25 **determined for calendar year 2012. An eligible school**
 26 **corporation's circuit breaker replacement amount for 2012 is equal**
 27 **to the result determined under STEP SIX of the following formula:**

28 **STEP ONE: Determine the amount of credits granted against**
 29 **the eligible school corporation's combined levy for the school**
 30 **corporation's debt service fund, capital projects fund,**
 31 **transportation fund, school bus replacement fund, and racial**
 32 **balance fund.**

33 **STEP TWO: Determine an amount equal to two percent (2%)**
 34 **of the school corporation's total combined property tax levy**
 35 **for 2012, rounded to the nearest one dollar (\$1).**

36 **STEP THREE: Determine the greater of zero (0) or the result**
 37 **of the STEP ONE amount minus the STEP TWO amount.**

38 **STEP FOUR: Determine the sum of the STEP THREE**
 39 **amounts for all eligible school corporations in Indiana.**

40 **STEP FIVE: Determine the result of the lesser of:**

41 **(A) one (1); or**

42 **(B) the result of fifty million dollars (\$50,000,000) divided**
 43 **by the STEP FOUR amount, rounding to the nearest ten**
 44 **thousandth (0.0001).**

45 **STEP SIX: Multiply the STEP FIVE result by the STEP**
 46 **THREE amount, rounding to the nearest dollar (\$1).**

47 **Sec. 6. The department shall administer the grant program.**

1 **Sec. 7. (a) Not later than July 30 of a calendar year, the budget**
2 **agency shall certify to the department an initial estimate of the**
3 **circuit breaker replacement amount attributable to each school**
4 **corporation for the calendar year.**

5 **(b) Not later than November 1 of a calendar year, the budget**
6 **agency shall certify to the department a final estimate of the circuit**
7 **breaker replacement amount attributable to each eligible school**
8 **corporation for the calendar year.**

9 **(c) The budget agency shall compute an amount certified under**
10 **this section using the best information available to the budget**
11 **agency at the time the certification is made.**

12 **Sec. 8. Subject to section 9 of this chapter, the department shall**
13 **distribute a grant to an eligible school corporation equal to fifty**
14 **percent (50%) of the eligible school corporation's estimated circuit**
15 **breaker replacement amount for the calendar year in two (2)**
16 **installments.**

17 **Sec. 9. Based on the final estimate of the circuit breaker**
18 **replacement amount certified to the department by the budget**
19 **agency, the department shall settle any overpayment or**
20 **underpayment of circuit breaker replacement amounts to an**
21 **eligible school corporation. The department may offset**
22 **overpayments of circuit breaker replacement amounts for a**
23 **particular calendar year against:**

24 **(1) a grant; or**

25 **(2) state tuition support distribution;**

26 **that the eligible school corporation would otherwise be entitled to**
27 **receive.**

28 **Sec. 10. An eligible school corporation shall deposit and use the**
29 **amount received from a grant as follows:**

30 **(1) An amount equal to the revenue lost to the eligible school**
31 **corporation's debt service fund as the result of the granting of**
32 **credits shall be deposited in the eligible school corporation's**
33 **debt service fund for purposes of the debt service fund.**

34 **(2) Any part of a grant remaining after making the deposit**
35 **required under subdivision (1) may be deposited in any**
36 **combination of the eligible school corporation's capital**
37 **projects fund, transportation fund, school bus replacement**

1 **fund, and racial balance fund, as determined by the school**
2 **corporation."**

3 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed February 21, 2011.)

Representative Goodin