



Reprinted  
February 24, 2012

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## ENGROSSED SENATE BILL No. 296

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DIGEST OF SB 296 (Updated February 23, 2012 3:18 pm - DI 116)

**Citations Affected:** IC 20-51.

**Synopsis:** Certified scholarship program eligibility. Provides that an individual is eligible for a scholarship from a scholarship program that is certified by the department of education if the student received a scholarship in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization.

**Effective:** July 1, 2012.

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### Leising, Yoder

(HOUSE SPONSORS — BEHNING, FRIZZELL)

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January 5, 2012, read first time and referred to Committee on Education and Career Development.  
January 26, 2012, amended, reported favorably — Do Pass.  
January 30, 2012, read second time, ordered engrossed. Engrossed.  
January 31, 2012, read third time, passed. Yeas 34, nays 16.

HOUSE ACTION

February 9, 2012, read first time and referred to Committee on Education.  
February 21, 2012, amended, reported — Do Pass.  
February 23, 2012, read second time, amended, ordered engrossed.

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ES 296—LS 6728/DI 71+



Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 296

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 20-51-1-5, AS ADDED BY P.L.182-2009(ss),  
2 SECTION 364, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2012]: Sec. 5. "Eligible student" refers to an  
4 individual who:  
5 (1) has legal settlement in Indiana;  
6 (2) is at least five (5) years of age and less than twenty-two (22)  
7 years of age on the date in the school year specified in  
8 IC 20-33-2-7;  
9 (3) either has been or is currently enrolled in a participating  
10 school;  
11 (4) either:  
12 (A) is a member of a household with an annual income of not  
13 more than two hundred percent (200%) of the amount required  
14 for the individual to qualify for the federal free or reduced  
15 price lunch program; or  
16 (B) received a scholarship under this article in the immediately  
17 preceding school year or the immediately preceding term of

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1 the current school year and qualified under clause (A) in the  
2 first year that the individual received a scholarship under this  
3 article; and  
4 **(B) previously received a scholarship under IC 20-51-3 and**  
5 **qualified under clause (A) in the first year that the**  
6 **individual received a scholarship under IC 20-51-3; and**  
7 (5) meets at least one (1) of the following conditions:  
8 (A) The individual is enrolling in kindergarten.  
9 (B) The individual was enrolled in a public school during the  
10 school year preceding the first school year for which a  
11 scholarship granting organization provides a scholarship to the  
12 individual.  
13 (C) The individual received a scholarship in the previous year  
14 from a nonprofit scholarship granting organization that  
15 qualifies for certification as a school scholarship program.  
16 (D) The individual received a school scholarship ~~for the~~  
17 ~~previous school year. from a scholarship granting~~  
18 **organization in a preceding year, including a school year**  
19 **that does not immediately precede a school year in which**  
20 **the individual receives a scholarship from a scholarship**  
21 **granting organization.**

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 296, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-51-1-4.5, AS ADDED BY P.L.92-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.5. "Eligible individual", **for purposes of the choice scholarship program under IC 20-51-4**, refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7;
- (3) either has been or is currently enrolled in an accredited school;
- (4) is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program; and
- (5) **either: meets at least one (1) of the following conditions:**
  - (A) **The individual** was enrolled in grade 1 through 12 in a school corporation that did not charge the individual transfer tuition for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4. ~~or~~
  - (B) **The individual** received a scholarship from a scholarship granting organization under IC 20-51-3 ~~or in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3, but only if the individual did not initially meet the requirement for the scholarship specified in section 5(5) of this chapter by qualifying under section 5(5)(E) of this chapter.~~
  - (C) **The individual** received a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a ~~scholarship from a scholarship granting~~

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~~organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.~~

Page 2, line 5, delete "kindergarten or grade 8." and insert "kindergarten."

Page 2, after line 14, begin a new line double block indented and insert:

**"(E) The individual is enrolling in grade 8."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 296 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 7, Nays 3.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 296, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 18.

Page 3, line 6, strike "for the".

Page 3, line 7, strike "previous school year." and insert "**from a scholarship granting organization in a preceding year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization.**"

Page 3, delete line 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 296 as printed January 27, 2012.)

BEHNING, Chair

Committee Vote: yeas 9, nays 3.



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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 296 be amended to read as follows:

Page 1, strike lines 16 through 17, begin a new line double block indented and insert:

**"(B) previously received a scholarship under IC 20-51-3 and qualified under clause (A) in the first year that the individual received a scholarship under IC 20-51-3; and".**

Page 2, strike lines 1 through 3.

(Reference is to ESB 296 as printed February 21, 2012.)

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