

# HOUSE BILL No. 1315

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-43; IC 20-51-4-12.

**Synopsis:** Choice scholarship funding. Provides for an advance distribution of state tuition support to school corporations in the first six months of a year to eliminate the effect of fiscal year and calendar year limits on distributions. Makes an appropriation for the advance. Limits the amount of choice scholarships to the amount that state tuition support payments are reduced by the transfer of students from a school corporation or charter school to a private school.

**Effective:** July 1, 2011 (retroactive); January 1, 2012 (retroactive).

---

---

## Truitt

---

---

January 11, 2012, read first time and referred to Committee on Ways and Means.

---

---

C  
o  
p  
y



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.

C  
o  
p  
y

## HOUSE BILL No. 1315



A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

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

1 SECTION 1. IC 20-43-1-8.7 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2012 (RETROACTIVE)]: **Sec. 8.7. "Choice**  
4 **scholarship" refers to a scholarship granted under IC 20-51-4.**

5 SECTION 2. IC 20-43-2-8 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
7 JANUARY 1, 2012 (RETROACTIVE)]: **Sec. 8. (a) This section**  
8 **applies if the amount of state tuition support distributed to school**  
9 **corporations would otherwise be reduced in the first six (6) months**  
10 **of a calendar year in order to pay or encumber an amount for**  
11 **choice scholarships under IC 20-51 from the amount appropriated**  
12 **for distribution for tuition support in the state fiscal year ending**  
13 **in that calendar year.**

14 (b) Subject to subsection (c), the department shall make an  
15 advance distribution of state tuition support to school corporations  
16 in the first six (6) months of the calendar year from payments the  
17 school corporations would otherwise receive in the second six (6)



1 months in the calendar year.

2 (c) The total amount advanced under this section in a calendar  
3 year may not exceed the greater of zero (0) or the result of:

4 (1) the total amount of choice scholarships granted to students  
5 described in subdivision (2) in the state fiscal year ending in  
6 the first six (6) months of the calendar year; minus

7 (2) five-tenths (0.5) of the total amount of state tuition support  
8 that would have been paid in the calendar year for students  
9 who:

10 (A) were counted in the current ADM of a school  
11 corporation in the previous calendar year; and

12 (B) were not counted in the current ADM of the school  
13 corporation in the current calendar year because the  
14 students attended an eligible school on a choice  
15 scholarship.

16 (d) There is appropriated a sufficient amount to the department  
17 from the state general fund to make the advances required by this  
18 section, beginning January 1, 2012, and ending June 30, 2013.

19 SECTION 3. IC 20-51-4-12 IS ADDED TO THE INDIANA CODE  
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
21 1, 2011 (RETROACTIVE)]: Sec. 12. (a) Not more than the total  
22 amount of state tuition support that would have been paid in the  
23 current calendar for students who:

24 (1) were counted in the current ADM of a school corporation  
25 in the previous calendar year; and

26 (2) were not counted in the current ADM of the school  
27 corporation in the current calendar year because the students  
28 attended an eligible school on a choice scholarship;

29 may be paid or encumbered from the appropriation for  
30 distribution for tuition support for the state fiscal year ending in  
31 the current calendar year.

32 (b) A determination under IC 4-13-2-18 or another law that the  
33 amount available for choice scholarships under this chapter for the  
34 remainder of the term of an appropriation or for any allotment  
35 period will be less than the amount estimated or allotted for the  
36 choice scholarships may not be the basis for reducing state tuition  
37 support distributions to school corporations and charter schools.  
38 The department shall proportionately reduce each choice  
39 scholarship granted under this chapter to eliminate the shortfall.

40 SECTION 4. An emergency is declared for this act.

C  
O  
P  
Y

