



January 27, 2012

SENATE BILL No. 296

DIGEST OF SB 296 (Updated January 25, 2012 6:08 pm - DI 116)

Citations Affected: IC 20-51.

Synopsis: Certified scholarship program eligibility. Provides that an individual enrolling in grade 8 is eligible for a scholarship from a scholarship program that is certified by the department of education. Changes the definition of the term "eligible individual" to make certain students who received a scholarship from a scholarship granting organization in grade 8 ineligible for a choice scholarship.

Effective: July 1, 2012.

Leising, Yoder

January 5, 2012, read first time and referred to Committee on Education and Career Development.
January 26, 2012, amended, reported favorably — Do Pass.

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SB 296—LS 6728/DI 71+



January 27, 2012

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.

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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 20-51-1-4.5, AS ADDED BY P.L.92-2011,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 4.5. "Eligible individual", **for purposes of the**
4 **choice scholarship program under IC 20-51-4**, refers to an individual
5 who:
6 (1) has legal settlement in Indiana;
7 (2) is at least five (5) years of age and less than twenty-two (22)
8 years of age on the date in the school year specified in
9 IC 20-33-2-7;
10 (3) either has been or is currently enrolled in an accredited school;
11 (4) is a member of a household with an annual income of not
12 more than one hundred fifty percent (150%) of the amount
13 required for the individual to qualify for the federal free or
14 reduced price lunch program; and
15 (5) ~~either:~~ **meets at least one (1) of the following conditions:**
16 (A) **The individual** was enrolled in grade 1 through 12 in a
17 school corporation that did not charge the individual transfer

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1 tuition for at least two (2) semesters immediately preceding
 2 the first semester for which the individual receives a choice
 3 scholarship under IC 20-51-4. ~~or~~

4 **(B) The individual** received a scholarship from a scholarship
 5 granting organization under IC 20-51-3 ~~or in a preceding~~
 6 **school year, including a school year that does not**
 7 **immediately precede a school year in which the individual**
 8 **receives a scholarship from a scholarship granting**
 9 **organization under IC 20-51-3, but only if the individual**
 10 **did not initially meet the requirement for the scholarship**
 11 **specified in section 5(5) of this chapter by qualifying under**
 12 **section 5(5)(E) of this chapter.**

13 **(C) The individual received** a choice scholarship under
 14 IC 20-51-4 in a preceding school year, including a school year
 15 that does not immediately precede a school year in which the
 16 individual receives a ~~scholarship from a scholarship granting~~
 17 ~~organization under IC 20-51-3~~ or a choice scholarship under
 18 IC 20-51-4.

19 SECTION 2. IC 20-51-1-5, AS ADDED BY P.L.182-2009(ss),
 20 SECTION 364, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2012]: Sec. 5. "Eligible student" refers to an
 22 individual who:

- 23 (1) has legal settlement in Indiana;
 24 (2) is at least five (5) years of age and less than twenty-two (22)
 25 years of age on the date in the school year specified in
 26 IC 20-33-2-7;
 27 (3) either has been or is currently enrolled in a participating
 28 school;
 29 (4) either:
 30 (A) is a member of a household with an annual income of not
 31 more than two hundred percent (200%) of the amount required
 32 for the individual to qualify for the federal free or reduced
 33 price lunch program; or
 34 (B) received a scholarship under this article in the immediately
 35 preceding school year or the immediately preceding term of
 36 the current school year and qualified under clause (A) in the
 37 first year that the individual received a scholarship under this
 38 article; and
 39 (5) meets at least one (1) of the following conditions:
 40 (A) The individual is enrolling in kindergarten.
 41 (B) The individual was enrolled in a public school during the
 42 school year preceding the first school year for which a

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- 1 scholarship granting organization provides a scholarship to the
- 2 individual.
- 3 (C) The individual received a scholarship in the previous year
- 4 from a nonprofit scholarship granting organization that
- 5 qualifies for certification as a school scholarship program.
- 6 (D) The individual received a school scholarship for the
- 7 previous school year.
- 8 **(E) The individual is enrolling in grade 8.**

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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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