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# SENATE BILL No. 163

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12-0.5-13; IC 20-12-5.5-2.

**Synopsis:** Commission for higher education. Provides that whenever the commission for higher education makes or is required by statute to make a recommendation concerning a fiscal matter involving a state educational institution or whenever the commission reviews or is required by statute to review a fiscal matter involving a state educational institution, the matter must also be submitted to the budget committee for an advisory recommendation. Provides that whenever the commission for higher education is required to review certain projects of a state educational institution, the review is considered completed 45 days after submission to the commission if the commission has not made a recommendation by that date.

**Effective:** Upon passage.

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### Simpson, Alting

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January 10, 2000, read first time and referred to Committee on Rules and Legislative Procedure.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

# SENATE BILL No. 163



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 20-12-0.5-13 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE UPON PASSAGE]: **Sec. 13. (a) This section applies**
- 4 **only when:**
- 5 (1) **a statute requires the commission to make a**
- 6 **recommendation concerning a fiscal matter or to review a**
- 7 **fiscal matter; or**
- 8 (2) **the commission makes a recommendation concerning a**
- 9 **fiscal matter or reviews a fiscal matter.**
- 10 (b) **As used in this section, "fiscal matter" means any of the**
- 11 **following:**
- 12 (1) **A matter that involves the expenditure of funds**
- 13 **appropriated for the use of a state educational institution by**
- 14 **the general assembly.**
- 15 (2) **A matter that involves the issuance of bonds or other debt**
- 16 **by a state educational institution.**
- 17 (3) **A matter that has a substantial impact on the expenditure**



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1 of state funds by a state educational institution.

2 (c) A matter shall be submitted to the budget committee for an  
3 advisory recommendation.

4 (d) The budget committee may adopt written guidelines to do  
5 the following:

6 (1) Define what the budget committee considers a substantial  
7 impact on the expenditure of state funds by a state  
8 educational institution.

9 (2) Define what fiscal matters, either by amount or by other  
10 criteria, that the budget committee considers unnecessary to  
11 review.

12 SECTION 2. IC 20-12-5.5-2 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) In addition  
14 to projects authorized by the general assembly, the trustees of each  
15 higher education institution may engage in any of the following  
16 projects so long as there are funds available for the project and the  
17 project meets any of the applicable conditions:

18 (1) Each project to construct buildings or facilities of a cost  
19 greater than two hundred thousand dollars (\$200,000), or to  
20 purchase or lease-purchase land, buildings, or facilities the  
21 principal value of which exceeds one hundred thousand dollars  
22 (\$100,000), must be reviewed by the commission for higher  
23 education and approved by the governor upon recommendation of  
24 the budget agency **and the budget committee**. If any part of the  
25 cost of the project as specified in section 3 of this chapter is paid  
26 by state appropriated funds or by mandatory student fees assessed  
27 all students and if the project is to construct buildings or facilities  
28 of a cost greater than five hundred thousand dollars (\$500,000),  
29 or to purchase or lease-purchase land, buildings, or facilities the  
30 principal value of which exceeds three hundred thousand dollars  
31 (\$300,000), the project must also be approved by the general  
32 assembly. Nothing herein limits the trustees in supplementing  
33 projects approved by the general assembly from gifts or other  
34 available funds so long as approval for the expansion of projects  
35 is given by the governor on review by the commission for higher  
36 education and recommendation of the budget agency **and the**  
37 **budget committee**.

38 (2) Each repair and rehabilitation project must be reviewed by the  
39 commission for higher education and approved by the governor,  
40 on recommendation of the budget agency **and the budget**  
41 **committee** if the cost of the project exceeds five hundred  
42 thousand dollars (\$500,000) and if any part of the cost of the

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1 project is paid by state appropriated funds or by mandatory  
 2 student fees assessed all students. If no part of the cost of the  
 3 repair and rehabilitation project is paid by state appropriated  
 4 funds or by mandatory student fees assessed all students, the  
 5 review and approval requirements of this subdivision apply only  
 6 if the project exceeds one million dollars (\$1,000,000).

7 (3) Each project to lease, other than a project to lease-purchase,  
 8 a building or facility must be reviewed by the commission for  
 9 higher education and approved by the governor, on  
 10 recommendation of the budget agency **and the budget**  
 11 **committee**, if the annual cost of the project exceeds fifty  
 12 thousand dollars (\$50,000).

13 (b) The review and approval requirements of subsection (a)(1) do  
 14 not apply to a project to construct buildings or facilities or to purchase  
 15 or lease-purchase land, buildings, or facilities if the project involves the  
 16 expansion or improvement of housing for students undertaken entirely  
 17 by a fraternity or sorority at the state educational institution.

18 (c) **A review required by the commission for higher education**  
 19 **under subsection (a) is considered completed forty-five (45) days**  
 20 **after the matter has been submitted to the commission if the**  
 21 **commission has not made a recommendation on the matter before**  
 22 **that day.**

23 SECTION 3. **An emergency is declared for this act.**

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