

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1381 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 education finance and to make an appropriation.
- 4 Page 6, between lines 41 and 42, begin a new paragraph and insert:
- 5 "SECTION 2. [EFFECTIVE JANUARY 1, 2006
- 6 (RETROACTIVE)] (a) The definitions in IC 20-18-2 apply
- 7 throughout this SECTION.
- 8 (b) Not later than the later of three (3) regular business days
- 9 after the effective date of this SECTION or February 1, 2006, the
- 10 budget agency shall certify to the department of education and the
- 11 auditor of state the surplus state tax amnesty revenues attributable
- 12 to the amnesty program established under IC 6-8.1-3-17. The
- 13 amount of surplus state tax amnesty revenues is the amount
- 14 determined under STEP THREE of the following formula:
- 15 STEP ONE: Determine the balance on January 30, 2006, of
- 16 the sum of the following:
- 17 (A) The total of the tax liability collected in the amnesty
- 18 program established under IC 6-8.1-3-17.
- 19 (B) The total of the tax liability that:
- 20 (i) a taxpayer has agreed to pay under a written payment
- 21 plan entered into under IC 6-8.1-3-17; and
- 22 (ii) is due under the taxpayer's written payment plan
- 23 after January 30, 2006, and before July 1, 2006.
- 24 STEP TWO: Subtract from the STEP ONE amount the part

1 of the STEP ONE amount that is attributable to listed taxes
 2 collected for a political subdivision (as defined in
 3 IC 36-1-2-13), including the following:

- 4 (A) The county adjusted gross income tax (IC 6-3.5-1.1).
 5 (B) The county option income tax (IC 6-3.5-6).
 6 (C) The county economic development income tax
 7 (IC 6-3.5-7).
 8 (D) The municipal option income tax (IC 6-3.5-8).
 9 (E) The auto rental excise tax (IC 6-6-9).
 10 (F) The financial institutions tax (IC 6-5.5).
 11 (G) The gasoline tax (IC 6-6-1.1).
 12 (H) The alternative fuel permit fee (IC 6-6-2.1).
 13 (I) The special fuel tax (IC 6-6-2.5).
 14 (J) The motor carrier fuel tax (IC 6-6-4.1).
 15 (K) A motor fuel tax collected under a reciprocal
 16 agreement under IC 6-8.1-3.
 17 (L) The motor vehicle excise tax (IC 6-6-5).
 18 (M) The commercial vehicle excise tax (IC 6-6-5.5).

19 **STEP THREE:** Subtract from the STEP TWO amount the
 20 estimated out of pocket costs that the budget agency
 21 determines will be incurred by the state to administer this
 22 SECTION in 2006 and 2007. The amount estimated under this
 23 STEP may be adjusted in 2007 to reflect actual expenditures.
 24 Any adjustments apply only to reduce or increase a
 25 distribution required under this SECTION in 2007.

26 (c) Not later than the later of:

- 27 (1) the end of the month in which the budget agency certifies
 28 the amount of the surplus state tax amnesty revenues; or
 29 (2) March 31, 2006;

30 the auditor of state shall transfer to a special account in the state
 31 general fund from unrestricted revenues in the state general fund
 32 an amount equal to the surplus state tax amnesty revenues certified
 33 to the auditor of state under this SECTION. The amount
 34 transferred shall be accounted for separately from other money in
 35 the state general fund. Money in the special account may be used
 36 only to make distributions to school corporations as full-day
 37 kindergarten grants. The unencumbered balance of the special
 38 account at the end of a state fiscal year does not revert to the state
 39 general fund. However, any amount remaining in the special
 40 account after making distributions in 2006, 2007, and 2008 reverts
 41 for general use to the state general fund.

42 (d) Notwithstanding P.L.246-2005, SECTION 9, the amount
 43 appropriated to the department for full-day kindergarten is
 44 increased from eight million five hundred thousand dollars
 45 (\$8,500,000) to fifty-four million dollars (\$54,000,000) in the state
 46 fiscal year beginning July 1, 2005, and ending June 30, 2006. The

1 **amount of the additional appropriation under this subsection shall**
2 **be paid from the special account established under subsection (c).**
3 **The unused amount appropriated under this subsection does not**
4 **revert at the end of the state fiscal year and remains available to**
5 **supplement the appropriation granted under subsection (e) in the**
6 **state fiscal year beginning July 1, 2006, and ending June 30, 2007.**
7 (b) Notwithstanding P.L.246-2005, SECTION 9, the amount
8 appropriated to the department for full-day kindergarten is
9 increased from eight million five hundred thousand dollars
10 (\$8,500,000) to fifty-four million dollars (\$54,000,000) in the state
11 fiscal year beginning July 1, 2006, and ending June 30, 2007. The
12 amount of the additional appropriation under this subsection shall
13 be paid from the special account established under subsection (c)."
14 Renumber all SECTIONS consecutively.
 (Reference is to HB 1381 as printed January 27, 2006.)

Representative Crawford