SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

1 Page 92, line 45, delete "6,381,650,000 6,497,650,000" and insert "6,359,350,000 6,515,300,000".
2 Page 93, line 24, delete "166,550,000 272,750,000" and insert "187,210,000 230,810,000".
3 Page 120, line 12, delete "5,111,800,000" and insert "5,092,800,000".
4 Page 120, line 16, delete "77,500,000" and insert "97,820,000".
5 Page 157, delete lines 37 through 46.
6 Page 158, delete lines 22 through 27, begin a new line and insert:
7 "(3) (1) six billion five two hundred nine ninety-four million three hundred thousand dollars ($6,509,000,000) in 2009;
8 (2) six billion four hundred twenty-four million four hundred thousand dollars ($6,424,400,000) in 2010; and
9 (3) six billion six hundred six million two hundred thousand dollars ($6,606,200,000) in 2011."
10 Page 159, delete lines 21 through 46, begin a new paragraph and insert:
11 "SECTION 96. IC 20-43-5-3, AS AMENDED BY P.L.3-2008, SECTION 125, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 3. A school corporation's complexity index is determined under the following formula:
12 STEP ONE: Determine the greater of zero (0) or the result of the following:
13 (1) Determine the percentage of the school corporation's students who were eligible for free or reduced price lunches in the school year ending in the later of 2007 2009 or the first year of operation of the school corporation.
14 (2) Determine the quotient of:
15 (A) in 2008:
(i) two thousand two hundred fifty dollars ($2,250); divided by
(ii) four thousand seven hundred ninety dollars ($4,790); and
(B) in 2009:
(i) two thousand four hundred dollars ($2,400); divided by
(ii) four thousand eight two hundred twenty-five dollars ($4,825); ($4,200);
(C) in 2010:
(i) two thousand four hundred twenty-six dollars ($2,426); divided by
(ii) four thousand two hundred forty-five dollars ($4,245); and
(D) in 2011:
(i) two thousand five hundred fourteen dollars ($2,514); divided by
(ii) four thousand four hundred dollars ($4,400).
(3) Determine the product of:
(A) the subdivision (1) amount; multiplied by
(B) the subdivision (2) amount.
STEP TWO: Determine the result of one (1) plus the STEP ONE result.
STEP THREE: This STEP applies if the STEP TWO result is equal to or greater than at least one and twenty-five hundredths (1.25). Determine the result of the following:
(1) Subtract one and twenty-five hundredths (1.25) from the STEP TWO result.
(2) Determine the result of:
(A) the STEP TWO result; plus
(B) the subdivision (1) result.
The data to be used in making the calculations under STEP ONE must be the data collected in the annual pupil enrollment count by the department.

Page 160, delete lines 3 through 6, begin a new line and insert:
"STEP ONE: Determine The STEP ONE amount is:
(A) in 2008, four thousand seven hundred ninety dollars ($4,790); or
(B) (A) in 2009, four thousand eight two hundred twenty-five dollars ($4,825); ($4,200);
(B) in 2010, four thousand two hundred forty-five dollars ($4,245); and
(C) in 2011, four thousand four hundred dollars ($4,400).".

Page 160, delete lines 8 through 48.
Page 161, delete lines 1 through 47 and insert:
"SECTION 99. IC 20-43-5-6, AS AMENDED BY P.L.234-2007, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 6. (a) This
subsection applies to a charter school that has previous year revenue that is not greater than zero (0). A charter school's transition to foundation amount for a year is equal to the foundation amount for the year.

(b) This subsection applies to a school corporation that is not described in subsection (a). A school corporation's transition to foundation amount for a calendar year is equal to the result determined under STEP THREE of the following formula:

**STEP ONE:** Determine the difference of:
- (A) the school corporation's foundation amount; minus
- (B) the school corporation's previous year revenue foundation amount.

**STEP TWO:** Divide the STEP ONE result by:
- (A) four (4) in 2008; or
- (B) three (3) in 2009:
- (B) two (2) in 2010; and
- (C) one (1) in 2011.

**STEP THREE:** A school corporation's STEP THREE amount is the following:

(A) For a charter school located outside Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP THREE amount is the quotient of:
- (i) the school corporation's transition to foundation revenue for the calendar year where the charter school is located; divided by
- (ii) the school corporation's current ADM.

(B) For a charter school located in Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP THREE amount is the weighted average of the transition to foundation revenue for the school corporations where the students counted in the current ADM of the charter school have legal settlement, as determined under item (iv) of the following formula:
- (i) Determine the transition to foundation revenue for each school corporation where a student counted in the current ADM of the charter school has legal settlement.
- (ii) For each school corporation identified in item (i), divide the item (i) amount by the school corporation's current ADM.
- (iii) For each school corporation identified in item (i), multiply the item (ii) amount by the number of students counted in the current ADM of the charter school that have legal settlement in the particular school corporation.
- (iv) Determine the sum of the item (iii) amounts for the charter school.

(C) The STEP THREE amount for a school corporation that is not a charter school described in clause (A) or (B) is the
following:

(i) The school corporation's foundation amount for the calendar year if the STEP ONE amount is at least negative fifty dollars ($-50) and not more than one hundred dollars ($100).

(ii) For 2009, 2011, the school corporation's foundation amount for the calendar year, if the foundation amount in 2008 2010 equaled the school corporation's transition to foundation revenue per adjusted ADM in 2008 2010.

(iii) The sum of the school corporation's previous year revenue foundation amount and the greater of the school corporation's STEP TWO amount or one hundred dollars ($100), if the school corporation's STEP ONE amount is greater than one hundred dollars ($100).

(iv) The difference determined by subtracting fifty dollars ($50) from the school corporation's previous year revenue foundation amount, if the school corporation's STEP ONE amount is less than negative fifty dollars ($-50).

SECTION 100. IC 20-43-5-7, AS AMENDED BY P.L.3-2008, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 7. A school corporation's transition to foundation revenue for a calendar year is equal to the sum of the following:

(1) The product of:

(A) (1) the school corporation's transition to foundation amount for the calendar year; multiplied by

(B) (2) the school corporation's:

(i) current ADM, if the current ADM for the school corporation is less than one hundred (100); and

(ii) current adjusted ADM, if item (i) does not apply.

(2) Either:

(A) the result of:

(i) one hundred dollars ($100) for calendar year 2008 and one hundred fifty dollars ($150) for calendar year 2009; multiplied by

(ii) the school corporation's adjusted ADM;

if the school corporation's current ADM is less than three thousand and six hundred (3,600) and the amount determined under subdivision (1) is less than the school corporation's previous year revenue;

(B) the result of:

(i) one hundred dollars ($100) for calendar year 2008 and one hundred fifty dollars ($150) for calendar year 2009; multiplied by

(ii) the school corporation's adjusted ADM;

if clause (A) does not apply and the result of the amount under subdivision (1) is less than the result of the school
corporation's previous year revenue multiplied by nine hundred sixty-five thousandths (0.965);
(C) the school corporation's current adjusted ADM multiplied by the lesser of:
   (i) one hundred dollars ($100); or
   (ii) the school corporation's STEP TWO amount under section 6 of this chapter;
if clauses (A) and (B) do not apply; the amount under subdivision (1) is less than the school corporation's previous year revenue; and the school corporation's result under STEP ONE of section 6 of this chapter is greater than zero (0); or
(D) zero (0); if clauses (A), (B), and (C) do not apply.

(3) This subdivision does not apply to a charter school. Either:
   (A) three hundred dollars ($300) multiplied by the school corporation's current ADM, if the school corporation's current ADM is less than one thousand seven hundred (1,700) and the school corporation's complexity index is greater than one and two-tenths (1.2);
   (B) one hundred dollars ($100) multiplied by the school corporation's current ADM, if the school corporation's current ADM is less than one thousand seven hundred (1,700) and the school corporation's complexity index is greater than one and one-tenth (1.1) and not greater than one and two-tenths (1.2);
or
   (C) zero (0); if clauses (A) and (B) do not apply.

SECTION 101. IC 20-43-6-3, AS AMENDED BY P.L.146-2008, SECTION 488, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 3. (a) A school corporation's total regular program basic tuition support for a calendar year is the amount determined under the applicable provision of this section.

(b) This subsection applies to a school corporation that has transition to foundation revenue per adjusted ADM for a calendar year that is not equal to the school corporation's foundation amount for the calendar year. The school corporation's total regular program basic tuition support for a calendar year is equal to the school corporation's transition to foundation revenue amount for the calendar year multiplied by the school corporation's adjusted ADM.

(c) This subsection applies to a school corporation that has transition to foundation revenue per adjusted ADM for a calendar year that is equal to the school corporation's foundation amount for the calendar year. The school corporation's total regular program basic tuition support for a calendar year is the sum of the following:
   (1) The school corporation's foundation amount for the calendar year multiplied by the school corporation's adjusted ADM for the current year;
   (2) The amount of the annual decrease in federal aid to impacted
areas from the year preceding the ensuing calendar year by three
(3) years to the year preceding the ensuing calendar year by two
(2) years.

(3) The distribution to the school corporation under IC 20-43-11.5 in the current year to cover the costs of opening a new school facility during the year that immediately precedes the current year."

Page 162, line 23, strike "seventy-four thousand five hundred dollars ($74,500)." and insert "seventy-nine thousand five hundred dollars ($79,500)."

Page 163, line 33, delete "(107.5%)." and insert "(107.5%) for 2009, one hundred fifty percent (150%) for 2010, one hundred ten percent (110%) for 2011."

Page 163, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 109. IC 20-43-10-2, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 2. (a) A school corporation's academic honors diploma award for a calendar year is the amount determined under STEP TWO of the following formula:

STEP ONE: Determine the number of the school corporation's eligible pupils who successfully completed an academic honors diploma program in the school year ending in the previous calendar year.

STEP TWO: Multiply the STEP ONE amount by:

(A) for 2009, nine hundred dollars ($900); and
(B) for 2010 and 2011, one thousand five hundred sixty dollars ($1,560).

(b) An amount received by a school corporation as an honors diploma award may be used only for:

(1) any:

(A) staff training;
(B) program development;
(C) equipment and supply expenditures; or
(D) other expenses;

directly related to the school corporation's academic honors diploma program; and

(2) the school corporation's program for high ability students.

(c) A governing body that does not comply with this section for a school year is not eligible to receive an academic honors diploma award for the following school year.".

Page 164, line 16, delete "SIX" and insert "THREE".
Page 164, delete lines 25 through 35.
Page 164, line 36, delete "SIX:" and insert "THREE:".
Page 164, line 37, delete "FIVE" and insert "TWO".
Page 164, delete lines 44 through 48 and insert:
"(A) 2009, one hundred ninety-five million six hundred forty thousand dollars ($195,640,000); 
(B) 2010, one hundred seventy-eight million seven hundred eighty thousand dollars ($178,780,000); and 
(C) 2011, one hundred forty-one million four hundred twenty thousand dollars ($141,420,000); or"

Page 165, delete lines 46 through 48.
Page 166, delete lines 1 through 4.
Page 177, line 44, delete "IC 20-43-1-4; IC 20-43-1-29.3;".
Page 177, delete line 45.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1001 as printed April 10, 2009.)

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Senator ROGERS