

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1003 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-3.1-30.5-2.5 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2011]: **Sec. 2.5. As used in this chapter,**
- 6 **"public school foundation" refers to a foundation established**
- 7 **under IC 20-26-5-22.5."**
- 8 Page 1, between lines 9 and 10, begin a new paragraph and insert:
- 9 "SECTION 3. IC 6-3.1-30.5-7, AS ADDED BY P.L.182-2009(ss),
- 10 SECTION 205, IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2011]: **Sec. 7. A taxpayer that makes a**
- 12 **contribution to:**
- 13 **(1) a scholarship granting organization for use by the scholarship**
- 14 **granting organization in a school scholarship program; or**
- 15 **(2) a public school foundation in a taxable year beginning**
- 16 **after December 31, 2011;**
- 17 **is entitled to a credit against the taxpayer's state tax liability in the**
- 18 **taxable year in which the taxpayer makes the contribution."**
- 19 Page 1, line 15, delete ":" and insert **"or to a public school**
- 20 **foundation:"**.
- 21 Page 2, between lines 6 and 7, begin a new paragraph and insert:
- 22 "SECTION 5. IC 6-3.1-30.5-12, AS ADDED BY P.L.182-2009(ss),
- 23 SECTION 205, IS AMENDED TO READ AS FOLLOWS
- 24 [EFFECTIVE JULY 1, 2011]: **Sec. 12. A contribution to a scholarship**

- 1 **granting organization** shall be treated as having been made for use in
- 2 a school scholarship program if:
- 3 (1) the contribution is made directly to a scholarship granting
- 4 organization; and
- 5 (2) either:
- 6 (A) not later than the date of the contribution, the taxpayer
- 7 designates in writing to the scholarship granting organization
- 8 that the contribution is to be used only for a school scholarship
- 9 program; or
- 10 (B) the scholarship granting organization provides the
- 11 taxpayer with written confirmation that the contribution will
- 12 be dedicated solely for use in a school scholarship program."
- 13 Page 2, between lines 24 and 25, begin a new line blocked left and
- 14 insert:
- 15 **"Not more than twenty-five percent (25%) of the credits awarded**
- 16 **in a state fiscal year may be awarded for contributions to public**
- 17 **school foundations."**
- 18 Renumber all SECTIONS consecutively.
- (Reference is to HB 1003 as printed February 18, 2011.)

Representative Behning