

## **IC 20-40-7**

### **Chapter 7. School Bus Replacement Fund**

#### **IC 20-40-7-1**

##### **"Costs attributable to transportation"**

Sec. 1. As used in this chapter, "costs attributable to transportation" has the meaning set forth in IC 20-40-6-1.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-2**

##### **"Fund"**

Sec. 2. As used in this chapter, "fund" refers to a school bus replacement fund established under section 5 of this chapter.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-3**

##### **"Levy"**

Sec. 3. As used in this chapter, "levy" refers to a property tax levy imposed under IC 20-46-5 for the fund.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-4**

##### **"Plan"**

Sec. 4. "Plan" refers to a plan or amended plan adopted and approved under IC 20-46-5.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-5**

##### **Establishment of fund**

Sec. 5. The governing body of each school corporation shall establish a school bus replacement fund.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-6**

##### **Uses; general provisions; exception for transfers**

Sec. 6. Except as otherwise provided by law, including the exception for transfers permitted by IC 20-40-2-4(d), the fund is the exclusive fund used to pay the following costs attributable to transportation:

(1) Amounts paid for the replacement of school buses, either through a purchase agreement or under a lease agreement.

(2) The costs of contracted transportation service payable from the fund under section 7 of this chapter.

*As added by P.L.2-2006, SEC.163. Amended by P.L.257-2013, SEC.37.*

#### **IC 20-40-7-7**

##### **Uses; expenditures; transportation, fleet, and common carrier contracts**

Sec. 7. (a) Before the last Thursday in August in the year

preceding the first school year in which a proposed contract commences, the governing body of a school corporation may elect to designate a part of a:

- (1) transportation contract (as defined in IC 20-27-2-12);
- (2) fleet contract (as defined in IC 20-27-2-5); or
- (3) common carrier contract (as defined in IC 20-27-2-3);

as an expenditure payable from the fund.

(b) An election under this section must be made in a transportation plan approved by the department of local government finance under this chapter. The election applies throughout the term of the contract.

(c) The amount that may be paid from the fund in a school year is equal to the fair market lease value in the school year of each school bus, school bus chassis, or school bus body used under the contract, as substantiated by invoices, depreciation schedules, and other documented information available to the school corporation.

(d) The allocation of costs under this section to the fund must comply with the allocation guidelines adopted by the department of local government finance and the accounting standards prescribed by the state board of accounts.

*As added by P.L.2-2006, SEC.163.*

#### **IC 20-40-7-8**

##### **Requirement of expenditure plan**

Sec. 8. The department of local government finance may approve appropriations from the fund only if the appropriations conform to a plan.

*As added by P.L.2-2006, SEC.163.*