

SENATE BILL No. 315

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-23-6-9.

Synopsis: School property. Removes a provision that allows a consolidated school corporation to transfer property to the township from which the consolidated school corporation received the property, only if the township uses the property for park and recreation purposes.

Effective: July 1, 2015.

Smith J

January 8, 2015, read first time and referred to Committee on Local Government.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 315

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 20-23-6-9, AS AMENDED BY P.L.113-2006,
2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 9. (a) When any:
4 (1) school town;
5 (2) school city;
6 (3) school township;
7 (4) joint school; or
8 (5) consolidated school;
9 has become consolidated by resolution or election and the new
10 governing body has been appointed and legally organized, the former
11 school township, school town, school city, joint school, or consolidated
12 school is considered abandoned.
13 (b) All school:
14 (1) property;
15 (2) rights;
16 (3) privileges; and



1 (4) any indebtedness;
 2 from the abandoned school is considered to accrue to and be assumed
 3 by the new consolidated school corporation.

4 (c) The title of property shall pass to and become vested in the new
 5 consolidated school corporation. All debts of the former school
 6 corporations shall be assumed and paid by the new consolidated school
 7 corporation. All the privileges and rights conferred by law upon the
 8 former:

- 9 (1) school town;
 10 (2) school city;
 11 (3) school township;
 12 (4) joint school; or
 13 (5) consolidated school;

14 are granted to the newly consolidated school corporation.

15 (d) This subsection applies when the consolidated governing body
 16 of a consolidated school corporation decides that property acquired
 17 under subsection (b) from a township is no longer needed for school
 18 purposes. The governing body shall offer the property as a gift ~~for park~~
 19 ~~and recreation purposes~~ to the township that owned the property before
 20 the school was consolidated. If the township board accepts the offer,
 21 the governing body shall give the township a quitclaim deed to the
 22 property. ~~The deed must state that the township is required to use the~~
 23 ~~property for park and recreation purposes.~~ If the township board refuses
 24 the offer, the governing body may sell the property in the manner
 25 provided in subsection (e).

26 (e) This subsection provides the procedure for the sale of school
 27 property that is no longer needed for school purposes by the governing
 28 body of a consolidated school corporation. The governing body shall
 29 cause the property to be appraised at a fair cash value by:

- 30 (1) one (1) disinterested resident freeholder of the school
 31 corporation offering the property for sale; and
 32 (2) two (2) disinterested appraisers licensed under IC 25-34.1;

33 who are residents of Indiana. One (1) of the appraisers described under
 34 subdivision (2) must reside not more than fifty (50) miles from the
 35 property. The appraisals shall be made under oath and spread of record
 36 upon the records of the governing body. A sale may not be made for
 37 less than the appraised value, and the sale must be made for cash. The
 38 sale shall take place after the governing body gives notice under
 39 IC 5-3-1 of the terms, date, time, and place of sale.

40 (f) Proceeds from a sale under subsection (e) shall be placed in a
 41 capital projects fund of the consolidated school corporation or other
 42 fund designated as the fund that is available for capital outlay of the



1 school corporation.

