



February 17, 2015

SENATE BILL No. 350

DIGEST OF SB 350 (Updated February 16, 2015 10:52 am - DI 102)

Citations Affected: IC 20-23.

Synopsis: East Chicago school board. Reduces the number of members of the governing body of the School City of East Chicago from nine to five, beginning January 1, 2017. Provides that if a vacancy occurs on the governing body before January 1, 2017, the vacancy shall not be filled unless the vacancy reduces the number of members to fewer than five. Provides that members of the governing body are elected at large by the voters of the city. Repeals and provides for the expiration of statutes consistent with the new structure of the governing body.

Effective: July 1, 2015.

Randolph, Walker

January 8, 2015, read first time and referred to Committee on Elections.
February 16, 2015, amended, reported favorably — Do Pass.

SB 350—LS 6847/DI 75



February 17, 2015

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. 350

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 20-23-17.2-3, AS ADDED BY P.L.179-2011,
2 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 3. (a) The governing body of the school
4 corporation consists of nine (9) members who shall be elected as
5 follows:
6 (1) One (1) member shall be elected from each of the school
7 districts described in section 4 of this chapter. A member elected
8 under this subdivision must reside within the boundaries of the
9 district the member represents.
10 (2) Three (3) members, who must reside within the boundaries of
11 the school corporation, shall be elected as at-large members.
12 (3) All members shall be elected on a nonpartisan basis.
13 (4) All members shall be elected at the general election held in
14 the county in 2012. ~~and each four (4) years thereafter.~~
15 (b) Upon assuming office and in conducting the business of the
16 governing body, a member shall represent the interests of the entire

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- 1 school corporation.
- 2 **(c) This section expires January 1, 2017.**
- 3 SECTION 2. IC 20-23-17.2-3.1 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2015]: **Sec. 3.1. (a) After December 31, 2016,**
- 6 **the governing body of the school corporation consists of five (5)**
- 7 **members, elected as follows:**
- 8 **(1) At large by all the voters of the school corporation.**
- 9 **(2) On a nonpartisan basis.**
- 10 **(3) At the general election held in the county in 2016 and**
- 11 **every four (4) years thereafter.**
- 12 **(b) The term of office of a member of the governing body:**
- 13 **(1) is four (4) years; and**
- 14 **(2) begins January 1 after the election of members of the**
- 15 **governing body.**
- 16 **(c) Upon assuming office and in conducting the business of the**
- 17 **governing body, a member shall represent the interests of the**
- 18 **entire school corporation.**
- 19 SECTION 3. IC 20-23-17.2-3.2 IS ADDED TO THE INDIANA
- 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2015]: **Sec. 3.2. (a) Notwithstanding section**
- 22 **10 of this chapter, as in effect before July 1, 2015, and as amended**
- 23 **after June 30, 2015, if:**
- 24 **(1) a vacancy occurs in the office of a member of the**
- 25 **governing body after June 30, 2015; and**
- 26 **(2) the vacancy does not reduce the membership of the**
- 27 **governing body to fewer than five (5) members;**
- 28 **the vacancy shall not be filled.**
- 29 **(b) This section expires January 1, 2017.**
- 30 SECTION 4. IC 20-23-17.2-4, AS ADDED BY P.L.179-2011,
- 31 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2015]: **Sec. 4. (a) The boundaries of the districts from which**
- 33 **members of the governing body of the school corporation are elected**
- 34 **under section 3(a)(1) of this chapter are the same as the boundaries of**
- 35 **the common council districts of the city that are drawn under**
- 36 **IC 36-4-6.**
- 37 **(b) This section expires January 1, 2017.**
- 38 SECTION 5. IC 20-23-17.2-5, AS AMENDED BY P.L.219-2013,
- 39 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2015]: **Sec. 5. (a) The following apply to an election of**
- 41 **members of the governing body of the school corporation under section**
- 42 **3(a)(1) of this chapter:**



1 (1) Each candidate must file a petition of nomination with the
 2 circuit court clerk not earlier than one hundred four (104) days
 3 and not later than seventy-four (74) days before the general
 4 election at which members are to be elected. The petition of
 5 nomination must include the following information:

6 (A) The name of the candidate.

7 (B) The candidate's residence address and the district in which
 8 the candidate resides.

9 (C) The signatures of at least twenty (20) registered voters
 10 residing within the school corporation district the candidate
 11 seeks to represent.

12 (D) A certification that the candidate meets the qualifications
 13 for candidacy imposed by this chapter.

14 (2) Only eligible voters residing in the school corporation district
 15 may vote for a candidate to represent that district.

16 (3) One (1) candidate shall be elected for each district. The
 17 candidate elected for a district must reside within the boundaries
 18 of the district. The candidate elected as the member for a
 19 particular district is the candidate who, among all the candidates
 20 who reside within that district, receives the greatest number of
 21 votes from voters residing in that district.

22 (b) The following apply to an election of the members of the
 23 governing body of the school corporation under section 3(a)(2) 3.1 of
 24 this chapter:

25 (1) Each candidate must file a petition of nomination with the
 26 circuit court clerk not earlier than one hundred four (104) days
 27 and not later than seventy-four (74) days before the general
 28 election at which members are to be elected. The petition of
 29 nomination must include the following information:

30 (A) The name of the candidate.

31 (B) The candidate's residence address.

32 (C) The signatures of at least one hundred (100) registered
 33 voters residing within the school corporation.

34 (D) A certification that the candidate meets the qualifications
 35 for candidacy imposed by this chapter.

36 (2) Only eligible voters residing in the school corporation may
 37 vote for a candidate.

38 (3) ~~Three (3)~~ **Five (5)** candidates shall be elected at large. The
 39 ~~three (3)~~ **five (5)** candidates who receive the greatest number of
 40 votes among all candidates running for ~~an at-large seat~~ are elected
 41 as members of the governing body.

42 SECTION 6. IC 20-23-17.2-6, AS ADDED BY P.L.179-2011,



1 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2015]: Sec. 6. Voters who reside within the boundaries of the
 3 school corporation may vote for the candidates elected under section
 4 ~~3~~ **3.1** of this chapter. Each voter may vote only for

5 ~~(1)~~ **one** ~~(1)~~ candidate to represent the district in which the voter
 6 resides; and

7 ~~(2)~~ **three** ~~(3)~~ at-large ~~five~~ **(5)** candidates.

8 SECTION 7. IC 20-23-17.2-8 IS REPEALED [EFFECTIVE JULY
 9 1, 2015]. Sec. 8: (a) The term of each person elected to serve on the
 10 governing body of the school corporation is ~~four~~ **(4)** years:

11 ~~(b)~~ The term of each person elected to serve on the governing body
 12 begins on the date set in the school corporation's organization plan. The
 13 date set in the organization plan for an elected member of the
 14 governing body to take office may not be more than ~~fourteen~~ **(14)**
 15 months after the date of the member's election. If the school
 16 corporation's organization plan does not set a date for an elected
 17 member of the governing body to take office, the member takes office
 18 January ~~1~~ immediately following the person's election.

19 SECTION 8. IC 20-23-17.2-9, AS ADDED BY P.L.179-2011,
 20 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 9. The members of the governing body of the
 22 school corporation shall be elected at the general election to be held in
 23 ~~2012~~ **2016** and every four (4) years thereafter.



COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 350, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 7, delete "." and insert ",".

Page 2, line 8, delete "(b) Three members of the governing body shall be".

Page 2, run in lines 7 through 8.

Page 2, delete lines 14 through 17.

Page 2, line 18, delete "(e)" and insert "(b)".

Page 2, line 18, delete "(both" and insert ":".

Page 2, delete line 19.

Page 2, line 23, delete "(f)" and insert "(c)".

Page 2, delete lines 36 through 42.

Page 3, delete line 1.

Page 3, line 2, delete "(e)" and insert "(b)".

Page 3, line 2, delete "2023." and insert "2017".

Page 4, line 11, strike "Three (3)" and insert "Five (5)".

Page 4, line 11, strike "three (3)" and insert "five (5)".

Page 4, line 22, strike "three (3)".

Page 4, line 22, after "at-large" insert "five (5)".

Page 4, line 36, delete "elected".

Page 4, delete lines 39 through 42.

Delete page 5.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 350 as introduced.)

WALKER, Chairperson

Committee Vote: Yeas 9, Nays 0.

