



April 8, 2019

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# ENGROSSED SENATE BILL No. 549

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DIGEST OF SB 549 (Updated April 8, 2019 11:08 am - DI 116)

**Citations Affected:** IC 5-13; noncode.

**Synopsis:** School financial matters. Requires the superintendent of a school corporation to submit a written report to the local board of finance for the school corporation. Provides that the report must assess the financial condition of the school corporation using certain fiscal and qualitative indicators. Provides that the report must be received and reviewed at the annual meeting of the local board of finance for the school corporation. Urges the legislative council to assign to the appropriate interim study committee the task of identifying and studying best practices in: (1) the governance structure and oversight of tax increment financing to promote transparency and economic development in Indiana; and (2) reporting mechanisms between local government units to facilitate better collaboration and decision making.

**Effective:** Upon passage; July 1, 2019.

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**Spartz, Bassler, Koch,  
Randolph Lonnie M, Raatz**  
(HOUSE SPONSORS — COOK, MAHAN)

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January 14, 2019, read first time and referred to Committee on Tax and Fiscal Policy.  
February 12, 2019, amended, reported favorably — Do Pass.  
February 18, 2019, read second time, ordered engrossed. Engrossed.  
February 19, 2019, read third time, passed. Yeas 40, nays 0.

HOUSE ACTION

March 5, 2019, read first time and referred to Committee on Education.  
April 8, 2019, reported — Do Pass.

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ES 549—LS 7367/DI 92





April 8, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## ENGROSSED SENATE BILL No. 549

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A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 5-13-7-6 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) Each local board of finance  
3 shall meet annually after the first Monday and on or before the last day  
4 of January. At the annual meeting the board of finance shall do the  
5 following:  
6 (1) Elect from the board's membership:  
7 (A) a president; and  
8 (B) a secretary.  
9 The officers elected hold office until the officers' successors are  
10 elected and qualified.  
11 (2) Receive and review the report required by section 7 of this  
12 chapter.  
13 **(3) In the case of a board of finance of a school corporation,**  
14 **receive and review the report submitted under section 8 of**  
15 **this chapter.**  
16 (b) A majority of the members of each board of finance constitutes  
17 a quorum for the transaction of business. Each board of finance shall

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1 hold additional sessions whenever necessary to discharge its duties and  
 2 to accomplish the purposes of this chapter. The president of each board  
 3 shall convene the board whenever requested to do so by one (1) of the  
 4 members, or whenever necessary to the performance of the duties  
 5 imposed by this chapter.

6 (c) All meetings of the boards of finance must be open to the public,  
 7 and the records of the boards shall be subject to public inspection in  
 8 accordance with IC 5-14-3 and IC 5-15-2, respectively. The secretary  
 9 of each board shall keep a record of the proceedings, which shall be  
 10 approved and signed by the president of the board and attested by the  
 11 secretary.

12 (d) A local board of finance shall be known by the name "The Board  
 13 of Finance of \_\_\_\_\_", inserting the name of the proper political  
 14 subdivision, and may sue and be sued in the board's name in any action  
 15 and in any court of competent jurisdiction.

16 SECTION 2. IC 5-13-7-8 IS ADDED TO THE INDIANA CODE  
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 18 1, 2019]: **Sec. 8. (a) During the annual meeting required by section  
 19 6 of this chapter, the superintendent of a school corporation shall  
 20 submit a written report to the local board of finance for the school  
 21 corporation. The report must assess the financial condition of the  
 22 school corporation using the fiscal and qualitative indicators  
 23 determined under IC 20-19-7-4 by the fiscal and qualitative  
 24 indicators committee.**

25 (b) The local board of finance shall review the report made  
 26 under subsection (a).

27 (c) The superintendent of a school corporation may delegate the  
 28 duty to submit a report under subsection (a) to an employee or  
 29 representative of the school corporation.

30 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The legislative  
 31 council is urged to assign to an appropriate interim study  
 32 committee the task of identifying and studying best practices in:

33 (1) the governance structure and oversight of tax increment  
 34 financing to promote transparency and economic  
 35 development in Indiana; and

36 (2) reporting mechanisms between local government units to  
 37 facilitate better collaboration and decision making.

38 (b) This SECTION expires December 31, 2019.

39 SECTION 4. An emergency is declared for this act.



## COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 549, 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, delete lines 30 through 42, begin a new paragraph and insert:

**"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee the task of identifying and studying best practices in:**

**(1) the governance structure and oversight of tax increment financing to promote transparency and economic development in Indiana; and**

**(2) reporting mechanisms between local government units to facilitate better collaboration and decision making.**

**(b) This SECTION expires December 31, 2019.**

**SECTION 4. An emergency is declared for this act."**

Delete pages 3 through 5.

and when so amended that said bill do pass.

(Reference is to SB 549 as introduced.)

HOLDMAN, Chairperson

Committee Vote: Yeas 12, Nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 549, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 549 as printed February 13, 2019.)

BEHNING

Committee Vote: Yeas 7, Nays 0

