

SENATE BILL No. 36

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-3-23.

Synopsis: East Chicago school board. Provides for the election rather than the appointment of the members of the school board for the city of East Chicago. Provides for a seven member East Chicago school board to be elected beginning at the primary election in 1998. Provides that six members of the school board are elected from districts and one member is elected at large.

Effective: Upon passage.

Randolph

January 6, 1998, read first time and referred to Committee on Education.



Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 36

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 20-3-23 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 23. Election of School Board Members of East Chicago**
5 **Sec. 1. (a) This chapter applies to each school corporation that:**
6 **(1) is located in a city having a population of more than**
7 **thirty-three thousand eight hundred fifty (33,850) but less than**
8 **thirty-five thousand (35,000); and**
9 **(2) has at least six thousand (6,000) pupils.**
10 **(b) IC 20-4-10.1 does not apply to a governing body that is**
11 **subject to this chapter.**
12 **Sec. 2. The governing body of the school corporation consists of**
13 **seven (7) members who shall be elected as follows:**
14 **(1) One (1) member to be elected from each city council district**
15 **in the city described in section 1 of this chapter. A member**
16 **elected under this subdivision must reside within the**
17 **boundaries of the city council district the member represents.**



1 **(2) One (1) member, who must reside within the boundaries of**
2 **the school corporation, to be elected as an at large member.**

3 **(3) All members are elected on a nonpartisan basis.**

4 **(4) All members are elected at the primary election held in the**
5 **county in each year in which a general election is held.**

6 **Sec. 3. (a) At least ninety (90) days before but not less than sixty**
7 **(60) days before a primary election in a year in which a general**
8 **election is held, voters residing within the boundaries of the school**
9 **corporation may present to the county election board names of**
10 **candidates for election as members of the governing body as follows:**

11 **(1) Each candidate must be proposed in a petition in writing**
12 **signed by at least ten (10) registered voters in the school**
13 **corporation.**

14 **(2) Not more than one (1) candidate may be named in each**
15 **petition.**

16 **(3) A voter may not sign petitions for more candidates than the**
17 **number of members that are to be elected at the primary**
18 **election.**

19 **(b) Upon presentation of a petition to the county election board,**
20 **the board shall certify the petition under IC 3-8-6-8 and publish the**
21 **names of the candidates in accordance with IC 5-3-1.**

22 **Sec. 4. (a) The county election board shall prepare the ballot for**
23 **the primary election so the names of the candidates nominated**
24 **appear on the ballot in accordance with IC 3-10-1-19.**

25 **(b) The county election board may not publish or place on the**
26 **ballot the name of a candidate who is ineligible to be a member of**
27 **the governing body under this chapter.**

28 **Sec. 5. The election shall be conducted in accordance with IC 3.**

29 **Sec. 6. Voters who reside within the boundaries of the school**
30 **corporation may vote for the candidates. Each voter may vote only**
31 **for:**

32 **(1) one (1) candidate to represent the district in which the voter**
33 **resides, if there is an election for the district's representative**
34 **occurring at the primary election; and**

35 **(2) one (1) candidate to represent the district at large, if there**
36 **is an election for the at-large representative occurring at the**
37 **primary election.**

38 **Sec. 7. The term of a person elected to serve on the governing**
39 **body begins July 1 following election and continues for four (4)**
40 **years.**

41 **Sec. 8. A vacancy on the governing body shall be filled by the**
42 **governing body as soon as practicable after the vacancy occurs. A**



1 member chosen by the governing body to fill a vacancy holds office
2 for the remainder of the unexpired term.

3 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The terms of the
4 five (5) members of the governing body of a school corporation
5 described in IC 20-3-23, as added by this act, who were appointed
6 under IC 20-4-10.1 and are serving on June 30, 1997, expire June 30,
7 1998.

8 (b) Before January 1, 1998, the board shall randomly designate
9 the districts established by IC 20-3-23-2, as added by this act, as
10 follows:

11 (1) Four (4) districts in which members elected serve two (2)
12 year terms.

13 (2) Two (2) districts in which members elected serve four (4)
14 year terms.

15 (c) Notwithstanding IC 20-3-23-7, as added by this act, the term
16 of a member elected under this SECTION is as follows:

17 (1) The term of a member elected from a district designated
18 under subsection (b)(1) is two (2) years, beginning July 1, 1998.

19 (2) The term of a member elected at large is four (4) years,
20 beginning July 1, 1998.

21 (3) The term of a member elected from a district designated
22 under subsection (b)(2) is four (4) years, beginning July 1, 1998.

23 (d) Notwithstanding IC 20-3-23-3, as added by this act, the names
24 of candidates for election to the board in the election held on May 5,
25 1998, must be presented to the county election board at least sixty
26 (60) days before but not less than thirty (30) days before the election.

27 (e) This SECTION expires July 1, 2002.

28 SECTION 3. An emergency is declared for this act.

