

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 1 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 3-8-2-2.2, AS AMENDED BY P.L.1-2005,
4 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2011]: Sec. 2.2. (a) A candidate for a school board office must
6 file a petition of nomination in accordance with IC 3-8-6 and as
7 required under IC 20-23-12, IC 20-23-14, **IC 20-23-17**, or IC 20-23-4.
8 The petition of nomination, once filed, serves as the candidate's
9 declaration of candidacy for a school board office.
10 (b) A candidate for a school board office is not required to file a
11 statement of organization for the candidate's principal committee by
12 noon seven (7) days after the final date for filing a petition of
13 nomination or declaration of intent to be a write-in candidate unless the
14 candidate has received contributions or made expenditures requiring
15 the filing of a statement under IC 3-9-1-5.5.
16 SECTION 2. IC 5-9-4-8, AS AMENDED BY P.L.1-2005,
17 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2011]: Sec. 8. (a) Except as provided in subsection (b), during
19 the officeholder's leave of absence, the officeholder's office must be
20 filled by a temporary appointment made under:
21 (1) IC 3-13-4;
22 (2) IC 3-13-5;
23 (3) IC 3-13-6;
24 (4) IC 3-13-7;
25 (5) IC 3-13-8;
26 (6) IC 3-13-9;
27 (7) IC 3-13-10;
28 (8) IC 3-13-11;
29 (9) IC 20-23-4;
30 (10) IC 20-26;

- 1 (11) IC 20-23-12;
 2 (12) IC 20-23-14;
 3 (13) IC 20-23-15;
 4 **(14) IC 20-23-17;**
 5 ~~(14)~~ **(15)** IC 20-25-3;
 6 ~~(15)~~ **(16)** IC 20-25-4; or
 7 ~~(16)~~ **(17)** IC 20-25-5;
 8 in the same manner as a vacancy created by a resignation is filled.
 9 (b) For an officeholder who:
 10 (1) is:
 11 (A) a justice of the supreme court, a judge of the court of
 12 appeals, or a judge of the tax court; or
 13 (B) a judge of a circuit, city, county, probate, or superior court;
 14 and
 15 (2) is taking a leave of absence under this chapter;
 16 the supreme court shall appoint a judge pro tempore to fill the
 17 officeholder's office in accordance with the court's rules and
 18 procedures.
 19 (c) The person selected or appointed under subsection (a) or (b)
 20 serves until the earlier of:
 21 (1) the date the officeholder's leave of absence ends as provided
 22 in section 10 of this chapter; or
 23 (2) the officeholder's term of office expires.
 24 (d) The person selected or appointed to an office under subsection
 25 (a) or (b):
 26 (1) assumes all the rights and duties of; and
 27 (2) is entitled to the compensation established for;
 28 the office for the period of the temporary appointment."
 29 Page 5, between lines 7 and 8, begin a new paragraph and insert:
 30 "SECTION 9. IC 20-23-8-5, AS ADDED BY P.L.1-2005, SECTION
 31 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 32 2011]: Sec. 5. As used in this chapter, "school corporation" means a
 33 local public school corporation established under the laws of Indiana.
 34 The term does not include a school township or a school corporation
 35 covered by IC 20-23-12 or **IC 20-23-17.**
 36 SECTION 10. IC 20-23-17 IS ADDED TO THE INDIANA CODE
 37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2011]:
 39 **Chapter 17. Election of School Board Members in East Chicago**
 40 **Sec. 1. This chapter applies to a school corporation located in a**
 41 **city that has a population of more than thirty-two thousand**
 42 **(32,000) but less than thirty-two thousand eight hundred (32,800).**
 43 **Sec. 2. IC 20-23-8 does not apply to a school corporation or the**
 44 **governing body of a school corporation governed by this chapter.**
 45 **Sec. 3. (a) The governing body of the school corporation consists**
 46 **of five (5) members who shall be elected as follows:**

1 (1) All members, who must reside within the boundaries of the
2 school corporation, shall be elected as at-large members.

3 (2) All members shall be elected on a nonpartisan basis.

4 (3) All initial members shall be elected at the primary election
5 held in the county in 2012.

6 (b) Upon assuming office and in conducting the business of the
7 governing body, a member shall represent the interests of the
8 entire school corporation.

9 Sec. 4. The following apply to an election of the members of the
10 governing body of the school corporation:

11 (1) Each candidate must file a petition of nomination with the
12 circuit court clerk not later than seventy-four (74) days before
13 the election at which members are to be elected. The petition
14 of nomination must include the following information:

15 (A) The name of the candidate.

16 (B) The candidate's residence address.

17 (C) The signatures of at least two hundred fifty (250)
18 registered voters residing within the school corporation.

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

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

23 Sec. 5. Voters who reside within the boundaries of the school
24 corporation may vote for the candidates.

25 Sec. 6. The state board, with assistance from the county election
26 board, shall establish balloting procedures under IC 3 for the
27 election and all other procedures required to implement this
28 chapter.

29 Sec. 7. (a) Except as provided in subsection (b), the term of each
30 person elected to serve on the governing body of the school
31 corporation is four (4) years, beginning July 1 following the
32 election.

33 (b) This subsection applies to the election of members of the
34 governing body in the 2012 primary election. The three (3)
35 candidates receiving the highest number of votes at the election
36 take office on July 1 next following the election for four (4) year
37 terms. The two (2) candidates receiving the next highest number of
38 votes take office on July 1 next following the election for two (2)
39 year terms.

40 Sec. 8. A vacancy in the office of a member of the governing
41 body of the school corporation shall be filled temporarily by the
42 governing body as soon as practicable after the vacancy occurs. An
43 individual filling a vacancy under this section serves until the
44 expiration of the term of the member whose position the individual
45 fills.

46 Sec. 9. (a) Before August 1 of each year, the school corporation
47 shall file with the state superintendent the following information:

- 1 **(1) A list containing the names and addresses of each member**
- 2 **of the governing body of the school corporation and the date**
- 3 **of the expiration of each member's term of office.**
- 4 **(2) A list containing the names and addresses of each of the**
- 5 **school corporation's officers and the date of the expiration of**
- 6 **each officer's term of office.**
- 7 **(b) The school corporation shall notify the state superintendent**
- 8 **of any change in the information previously filed under subsection**
- 9 **(a) not later than thirty (30) days after the change occurs.**
- 10 **Sec. 10. (a) Notwithstanding any other law, the terms of the**
- 11 **members of the governing body of the East Chicago school**
- 12 **corporation who hold office on June 30, 2012, expire July 1, 2012.**
- 13 **(b) On July 1, 2012, all powers, duties, and functions adhering**
- 14 **to the governing body of the school corporation in existence on**
- 15 **June 30, 2012, are transferred to the governing body established**
- 16 **under this chapter.**
- 17 **(c) On July 1, 2012, the property and records of the governing**
- 18 **body of the school corporation in existence on June 30, 2012, are**
- 19 **transferred to the governing body established under this chapter.**
- 20 **(d) This section expires July 1, 2016."**
- 21 Renumber all SECTIONS consecutively.
 (Reference is to SB 1 as printed February 18, 2011.)

Senator RANDOLPH