

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 536 be amended to read as follows:

1           Page 3, between lines 30 and 31, begin a new paragraph and  
2           insert:

3           "SECTION 8. 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           Page 23, between lines 6 and 7, begin a new paragraph and insert:

17           "SECTION 37. IC 5-9-4-8, AS AMENDED BY P.L.1-2005,  
18           SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19           JULY 1, 2011]: Sec. 8. (a) Except as provided in subsection (b), during  
20           the officeholder's leave of absence, the officeholder's office must be  
21           filled by a temporary appointment made under:

- 22           (1) IC 3-13-4;  
23           (2) IC 3-13-5;  
24           (3) IC 3-13-6;  
25           (4) IC 3-13-7;  
26           (5) IC 3-13-8;  
27           (6) IC 3-13-9;  
28           (7) IC 3-13-10;  
29           (8) IC 3-13-11;  
30           (9) IC 20-23-4;  
31           (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  
14 court; 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 SECTION 38. IC 20-23-8-5, AS ADDED BY P.L.1-2005,  
30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2011]: Sec. 5. As used in this chapter, "school corporation"  
32 means a local public school corporation established under the laws of  
33 Indiana. The term does not include a school township or a school  
34 corporation covered by IC 20-23-12 **or IC 20-23-17.**  
35 SECTION 39. IC 20-23-17 IS ADDED TO THE INDIANA CODE  
36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2011]:  
38 **Chapter 17. Election of School Board Members in East**  
39 **Chicago**  
40 **Sec. 1. This chapter applies to a school corporation located in**  
41 **a 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**  
46 **consists of nine (9) members who shall be elected as follows:**  
47 **(1) One (1) member shall be elected from each of the school**  
48 **districts described in section 4 of this chapter. A member**  
49 **elected under this subdivision must reside within the**  
50 **boundaries of the district the member represents.**  
51 **(2) Three (3) members, who must reside within the**  
52 **boundaries of the school corporation, shall be elected as**

1 at-large members.

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

3 (4) All members shall be elected at the primary election held  
4 in the county in 2012 and each four (4) years thereafter.

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

8 Sec. 4. The boundaries of the districts from which members of  
9 the governing body of the school corporation are elected under  
10 section 3(a)(1) of this chapter are the same as the boundaries of the  
11 common council districts of the city that are drawn under  
12 IC 36-4-6.

13 Sec. 5. (a) The following apply to an election of members of the  
14 governing body of the school corporation to represent a district  
15 under section 3(a)(1) of this chapter:

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

21 (A) The name of the candidate.

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

24 (C) The signatures of at least twenty (20) registered  
25 voters residing within the school corporation district the  
26 candidate seeks to represent.

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

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

31 (3) One (1) candidate shall be elected for each district. The  
32 candidate elected for a district must reside within the  
33 boundaries of the district. The candidate elected as the  
34 member for a particular district is the candidate who, among  
35 all the candidates who reside within that district, receives the  
36 greatest number of votes from voters residing in that district.

37 (b) The following apply to an election of the members of the  
38 governing body of the school corporation at large under section  
39 3(a)(2) of this chapter:

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

45 (A) The name of the candidate.

46 (B) The candidate's residence address.

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

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

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

3           **(3) Three (3) candidates shall be elected at large. The three**  
 4           **(3) candidates who receive the greatest number of votes**  
 5           **among all candidates running for an at-large seat are elected**  
 6           **as members of the governing body.**

7           **Sec. 6. Voters who reside within the boundaries of the school**  
 8           **corporation may vote for the candidates. Each voter may vote only**  
 9           **for:**

10           **(1) one (1) candidate to represent the district in which the**  
 11           **voter resides; and**

12           **(2) three (3) at-large candidates.**

13           **Sec. 7. The state board, with assistance from the county**  
 14           **election board, shall establish balloting procedures under IC 3 for**  
 15           **the election and all other procedures required to implement this**  
 16           **chapter.**

17           **Sec. 8. The term of each person elected to serve on the**  
 18           **governing body of the school corporation is four (4) years,**  
 19           **beginning July 1 following the election.**

20           **Sec. 9. The members of the governing body of the school**  
 21           **corporation shall be elected at the primary election to be held in**  
 22           **2012 and every four (4) years thereafter.**

23           **Sec. 10. A vacancy in the office of a member of the governing**  
 24           **body of the school corporation shall be filled temporarily by the**  
 25           **governing body as soon as practicable after the vacancy occurs. An**  
 26           **individual filling a vacancy under this section serves until the**  
 27           **expiration of the term of the member whose position the individual**  
 28           **fills.**

29           **Sec. 11. (a) Before August 1 of each year, the school**  
 30           **corporation shall file with the state superintendent the following**  
 31           **information:**

32           **(1) A list containing the names and addresses of each**  
 33           **member of the governing body of the school corporation and**  
 34           **the date of the expiration of each member's term of office.**

35           **(2) A list containing the names and addresses of each of the**  
 36           **school corporation's officers and the date of the expiration of**  
 37           **each officer's term of office.**

38           **(b) The school corporation shall notify the state**  
 39           **superintendent of any change in the information previously filed**  
 40           **under subsection (a) not later than thirty (30) days after the change**  
 41           **occurs.**

42           **Sec. 12. (a) Notwithstanding any other law, the terms of the**  
 43           **members of the governing body of the East Chicago school**  
 44           **corporation who hold office on June 30, 2012, expire July 1, 2012.**

45           **(b) On July 1, 2012, all powers, duties, and functions adhering**  
 46           **to the governing body of the school corporation in existence on**  
 47           **June 30, 2012, are transferred to the governing body established**  
 48           **under this chapter.**

49           **(c) On July 1, 2012, the property and records of the governing**  
 50           **body of the school corporation in existence on June 30, 2012, are**

- 1 **transferred to the governing body established under this chapter.**
- 2 **(d) This section expires July 1, 2016."**
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 536 as printed February 16, 2011.)

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Senator LAWSON C