

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1324 be amended to read as follows:

- 1 Page 12, delete lines 30 through 36, begin a new paragraph and
- 2 insert:
- 3 **"(d) The parents of at least fifty-one percent (51%) of the**
- 4 **students who attend a school to which this section applies may**
- 5 **petition the state board to make the school subject to section 4.5 or**
- 6 **5 of this chapter. The petition must be submitted to the state board**
- 7 **not later than ninety (90) days after the date of the first signature**
- 8 **to the petition, and must follow the requirements set forth in**
- 9 **IC 20-26-12-9. After a petition is submitted to the state board by**
- 10 **the parents, ten percent (10%) of the property taxpayers who pay**
- 11 **property tax on real property located within the boundaries of the**
- 12 **school district may petition the state board to put the issue of**
- 13 **making the school subject to section 4.5 or 5 of this chapter on the**
- 14 **ballot. The petitions must be completed and submitted to the state**
- 15 **board not later than ninety (90) days after the date the petition by**
- 16 **the parents is submitted to the state board.**
- 17 **(e) If a petition that meets the requirements provided in**
- 18 **subsection (d) has been submitted, the state board shall certify to**
- 19 **the circuit court clerk of each county in which the school**
- 20 **corporation containing the designated school is located that the**
- 21 **requirements contained in subsection (d) have been met and must**
- 22 **include the language for the question required by subsection (f).**
- 23 **(f) The question to be submitted to the voters in the referendum**
- 24 **must read as follows:**

1 **"Shall the (insert the name of the school) of the (insert the**
2 **name of the school corporation) be subject to state**
3 **intervention?"**.

4 **(g) Each circuit court clerk, upon receiving the question**
5 **certified by the state board under subsection (e), shall call a**
6 **meeting of the county election board to make arrangements for the**
7 **referendum.**

8 **(h) The referendum shall be held in the next primary election,**
9 **general election, or municipal election in which all the registered**
10 **voters who are residents of the school corporation containing the**
11 **designated school are entitled to vote after the certification of the**
12 **question under IC 3-10-9-3.**

13 **(i) Each county election board shall:**

14 **(1) place the question certified to the circuit court clerk by the**
15 **state board on the ballot in the form prescribed by**
16 **IC 3-10-9-4; and**

17 **(2) deliver an adequate supply of ballots and voting**
18 **equipment to the precinct election board of each precinct in**
19 **which the referendum is to be held.**

20 **(j) The individuals entitled to vote in the referendum are all of**
21 **the registered voters who reside in the school corporation.**

22 **(k) IC 3 applies to the conduct of the referendum with the**
23 **exception of any provision of IC 3 that conflicts with this chapter**
24 **or cannot be practicably applied.**

25 **(l) Each precinct election board shall count the affirmative votes**
26 **and the negative votes cast in the referendum and shall certify**
27 **those two (2) totals to the county election board of each county in**
28 **which the referendum is held.**

29 **(m) The circuit court clerk of each county shall, immediately**
30 **after the votes cast in the referendum have been counted, certify**
31 **the results of the referendum to the state board.**

32 **(n) A school is subject to section 4.5 or 5 of this chapter if a**
33 **majority of the individuals who vote in the referendum conducted**
34 **under this section vote "yes" on the referendum question.**

35 **(o) If a majority of the individuals who vote in the referendum**
36 **conducted under this section do not vote "yes" on the referendum**
37 **question:**

38 **(1) the school is not subject to section 4.5 or 5 of this chapter;**
39 **and**

40 **(2) another referendum under this section with regard to the**
41 **same school may not be held earlier than one (1) year after**
42 **the date of the referendum that failed.**

43 **(p) An individual or any entity that would receive compensation**
44 **if the school is closed under section 4.5 or 5 of this chapter and**
45 **reopened as a charter school may not contribute money or services**
46 **to influence the outcome of the referendum."**

(Reference is to HB 1324 as printed January 23, 2012.)

Representative Porter