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WITHDRAWN	Noes _____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:

Page 12, delete lines 30 through 36, begin a new paragraph and insert:

"**(d) The parents of at least fifty-one percent (51%) of the students who attend a school to which this section applies may petition the state board to make the school subject to section 4.5 or 5 of this chapter. The petition must be submitted to the state board not later than ninety (90) days after the date of the first signature to the petition, and must follow the requirements set forth in IC 20-26-12-9. After a petition is submitted to the state board by the parents, ten percent (10%) of the property taxpayers who pay property tax on real property located within the boundaries of the school district may petition the state board to put the issue of making the school subject to section 4.5 or 5 of this chapter on the ballot. The petitions must be completed and submitted to the state board not later than ninety (90) days after the date the petition by the parents is submitted to the state board.**

(e) If a petition that meets the requirements provided in subsection (d) has been submitted, the state board shall certify to the circuit court clerk of each county in which the school corporation containing the designated school is located that the requirements contained in subsection (d) have been met and must include the language for the question required by subsection (f).

(f) The question to be submitted to the voters in the referendum must read as follows:

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

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

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

(i) Each county election board shall:

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

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

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

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

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

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

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

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

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

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

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

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

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Representative Smith V