

SENATE BILL No. 122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-3-11.

Synopsis: Performance contracts to sing national anthem. Provides that all public schools, charter schools, schools receiving public scholarships, and institutions of higher education must enter into an agreement with any person or group performing the national anthem at any event sponsored by the school that is open to the public to ensure standards for the performance. Provides for enforcement measures and a fine for not meeting the standards set.

Effective: July 1, 2012.

Becker

January 4, 2012, read first time and referred to Committee on Education and Career Development.

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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 2011 Regular Session of the General Assembly.

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SENATE BILL No. 122



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 20-19-3-11 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2012]: **Sec. 11. (a) As used in this section, "department" refers**
- 4 **to the department of education established under IC 20-19-3-1.**
- 5 **(b) As used in this section, "national anthem" refers to the**
- 6 **national anthem designated in 36 U.S.C. 301.**
- 7 **(c) As used in this section, "school" means:**
- 8 **(1) a public school, as defined in IC 20-18-2-15;**
- 9 **(2) a charter school, as defined in IC 20-24-1-4; or**
- 10 **(3) any school receiving state or local scholarship funds under**
- 11 **IC 20-51.**
- 12 **(d) As used in this section, "state educational institution" refers**
- 13 **to a university, college, or other educational institution described**
- 14 **in IC 21-7-13-32.**
- 15 **(e) Beginning January 1, 2013, schools and state educational**
- 16 **institutions must enter into an agreement with an individual or**
- 17 **group before the individual or group is permitted to perform the**



1 national anthem at any event that is:

2 (1) sponsored by the school or state educational institution;

3 and

4 (2) open to the public.

5 (f) The agreement required by subsection (e) must provide the
6 individual or group performing the national anthem with the
7 standards and guidelines established under subsection (h). The
8 agreement must require the individual or group performing the
9 national anthem to comply with these standards and guidelines.

10 (g) Any agreement entered into under this section must provide
11 that if an individual or group performing the national anthem at
12 a function of a school or state educational institution does not
13 comply with the standards set under subsection (h), the individual
14 shall pay the school or state educational institution a fine of
15 twenty-five dollars (\$25) to be deposited into the general fund of
16 the school or state educational institution.

17 (h) The department shall adopt the following rules under
18 IC 4-22-2:

19 (1) With input from the commission for higher education,
20 standards and guidelines for the words of the national anthem
21 and accompanying music that are acceptable under this
22 section.

23 (2) Procedures for making a record of any performance of the
24 national anthem covered under this section, including
25 provisions to maintain the record for two (2) years.

26 (3) Procedures for filing complaints under this section.

27 (4) Procedures for adjudicating complaints under this section.

28 (i) Each state educational institution shall establish procedures
29 for:

30 (1) making a record of any performance of the national
31 anthem covered under this section, including provisions to
32 maintain the record for two (2) years;

33 (2) filing complaints under this section; and

34 (3) adjudicating complaints under this section.

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