
HOUSE BILL No. 1200

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-19-3-4; IC 21-20.

Synopsis: Indiana University and Ball State boards. Requires a majority of the members of the board of trustees of Ball State University to be residents of Indiana. Modifies the manner in which alumni members of the Indiana University board of trustees are elected. Allows the board of trustees of Indiana University to hold meetings at the dates, times, and places the board of trustees agrees upon. Repeals a provision concerning emergency appointments to the board of trustees of Indiana University.

Effective: July 1, 2012.

Foley, Koch

January 9, 2012, read first time and referred to Committee on Education.

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Second Regular Session 117th General Assembly (2012)

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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HOUSE BILL No. 1200



A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 21-19-3-4, AS ADDED BY P.L.2-2007, SECTION
2 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2012]: Sec. 4. (a) All members of the board of trustees must be
4 (+) residents of Indiana; and
5 (2) citizens of the United States.
6 (b) A majority of the members of the board of trustees must be
7 residents of Indiana.
8 SECTION 2. IC 21-20-3-4, AS ADDED BY P.L.2-2007, SECTION
9 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2012]: Sec. 4. (a) Three (3) members of the board of trustees shall
11 be elected by the alumni of Indiana University under this chapter. In
12 the year in which the term of any member of the board of trustees
13 elected by the alumni expires, a successor to the trustee shall be elected
14 by the alumni of Indiana University, to serve for a term of three (3)
15 years beginning July 1 next succeeding the election.
16 (b) When a vacancy occurs in the membership of the board of
17 trustees who are elected by the alumni, because of death, resignation,



1 or any other reason, the vacancy shall be filled by ~~election by the~~
 2 ~~alumni; selection by the Indiana University alumni association~~
 3 ~~executive council~~ for the unexpired term.

4 SECTION 3. IC 21-20-3-6, AS ADDED BY P.L.2-2007, SECTION
 5 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2012]: Sec. 6. ~~A registry of the names and addresses of the alumni~~
 7 ~~of Indiana University shall be kept, and corrected from time to time, by~~
 8 ~~the president of Indiana University or the president's designated~~
 9 ~~representative.~~ The alumni of Indiana University consist of those
 10 persons who have been awarded a degree by the board of trustees of
 11 Indiana University as recommended by the faculty.

12 SECTION 4. IC 21-20-3-8, AS ADDED BY P.L.2-2007, SECTION
 13 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2012]: Sec. 8. The election of members of the board of trustees shall
 15 be held at Indiana University on the secular day immediately preceding
 16 July 1. ~~at 9 a.m.~~ At that time trustees shall be elected to:

- 17 (1) serve for a term of three (3) years from July 1 next succeeding
 18 the trustee's election; and
 19 (2) complete any unexpired term or terms.

20 SECTION 5. IC 21-20-3-9, AS ADDED BY P.L.2-2007, SECTION
 21 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 22 1, 2012]: Sec. 9. (a) ~~Each alumnus may send to the librarian, over the~~
 23 ~~alumnus's signature, at any time before the election of a trustee or~~
 24 ~~trustees, the vote for the trustee or trustees that the alumnus would be~~
 25 ~~entitled to cast if personally present at the election. The ballots and the~~
 26 ~~containers in which the ballots are submitted must be:~~

- 27 (1) ~~prepared and furnished by the librarian; and~~
 28 (2) ~~designed as to enable the librarian to ascertain the name of the~~
 29 ~~voter, and to determine whether the voter is entitled to participate~~
 30 ~~in the election, without knowing for whom the voter casts a ballot.~~

31 (b) ~~The librarian shall deliver all votes cast in the election, to be~~
 32 ~~opened and counted at the election, together with the votes cast by~~
 33 ~~those alumni who are personally present and entitled to vote at the~~
 34 ~~election.~~

35 (c) ~~An alumnus may not cast more than one (1) vote. The~~
 36 ~~university librarian shall conduct the elections to select the three~~
 37 ~~(3) alumni members of the board of trustees. All alumni (as~~
 38 ~~described in section 6 of this chapter) are eligible to participate in~~
 39 ~~the election either by electronic or printed ballot, and each eligible~~
 40 ~~individual may cast only one (1) vote. A request for a printed ballot~~
 41 ~~must be made in writing to the university librarian not later than~~
 42 ~~May 1 of an election year. The university librarian may adopt rules~~

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1 **and regulations as necessary to carry out this section.**

2 SECTION 6. IC 21-20-3-12, AS ADDED BY P.L.2-2007,
3 SECTION 261, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) The governor shall appoint
5 five (5) members of the board of trustees for terms of three (3) years.

6 (b) Whenever a vacancy occurs in the membership of the board of
7 trustees who are appointed by the governor because of death **or**
8 resignation ~~removal from the state~~, or for any other reason, the vacancy
9 shall be filled by an appointment of the governor for the unexpired
10 term.

11 SECTION 7. IC 21-20-3-15, AS ADDED BY P.L.2-2007,
12 SECTION 261, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2012]: Sec. 15. The board of trustees shall
14 declare vacant the seat of any trustee who is:

15 (1) absent **without sufficient excuse** from two (2) successive
16 meetings of the board of trustees; or

17 (2) guilty of any gross immorality or breach of the bylaws **of the**
18 **trustees** of Indiana University.

19 SECTION 8. IC 21-20-3-16 IS REPEALED [EFFECTIVE JULY 1,
20 2012]. Sec. 16: (a) ~~This section applies if an emergency is declared by~~
21 ~~the faculty after a session of the board of trustees has been called that~~
22 ~~the board of trustee members who do not reside in Monroe County~~
23 ~~failed to attend.~~

24 (b) ~~Three (3) trustees who reside in Monroe County may fill~~
25 ~~vacancies in the faculty of Indiana University and the board of trustees.~~
26 ~~If there are not three (3) trustees in attendance after an emergency is~~
27 ~~declared, the:~~

28 (1) ~~trustees who attend; and~~

29 (2) ~~members of the faculty who attend;~~

30 ~~shall fill the vacancies.~~

31 (c) ~~Appointments made under this section expire at the next meeting~~
32 ~~of the board of trustees.~~

33 SECTION 9. IC 21-20-4-5, AS AMENDED BY P.L.3-2008,
34 SECTION 135, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2012]: Sec. 5. The secretary of the board of
36 trustees shall:

37 (1) keep a true record of the proceedings of the board of trustees;

38 **and**

39 (2) certify copies of the record of the proceedings of the board of
40 trustees. **and**

41 (3) ~~maintain:~~

42 (A) ~~an account of the students in Indiana University by the~~

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1 students' classes; including the students' respective ages and
2 places of residence; and
3 ~~(B) a list of all graduates:~~

4 SECTION 10. IC 21-20-5-1, AS ADDED BY P.L.2-2007,
5 SECTION 261, IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2012]: Sec. 1. The board of trustees shall
7 annually meet in Bloomington, at least three ~~(3)~~ days before the annual
8 commencement of Indiana University: **hold meetings at the dates,**
9 **times, and places upon which the board of trustees agrees.**

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