



February 15, 2013

HOUSE BILL No. 1358

DIGEST OF HB 1358 (Updated February 12, 2013 1:23 pm - DI 116)

Citations Affected: IC 20-24; IC 20-52; IC 36-1.5.

Synopsis: Parental initiatives for school reorganization. Establishes the following parental initiatives for school reorganization of low performing schools: (1) The conversion of an existing public school into a charter school. (2) A petition to have the state board of education consider intervention and establish a lead partner to support the operation of the school. (3). The transfer of the operation of a charter school to the school corporation in which the charter school is located. Repeals current provisions concerning the conversion of existing public schools into charter schools.

Effective: July 1, 2013.

Huston, Behning

January 22, 2013, read first time and referred to Committee on Education.
February 14, 2013, amended, reported — Do Pass.

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HB 1358—LS 7465/DI 71+



February 15, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1358

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 20-24-1-5, AS ADDED BY P.L.1-2005, SECTION
2 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2013]: Sec. 5. "Conversion charter school" means a charter school
4 established under ~~IC 20-24-1-1~~ **IC 20-52-3** by the conversion of an
5 existing school into a charter school. The term includes a new school
6 to which students from other schools in the school corporation are
7 assigned or transferred.

8 SECTION 2. IC 20-24-5-5, AS AMENDED BY P.L.91-2011,
9 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2013]: Sec. 5. (a) Except as provided in subsections (b), (c),
11 and (d), a charter school must enroll any eligible student who submits
12 a timely application for enrollment.

13 (b) This subsection applies if the number of applications for a
14 program, class, grade level, or building exceeds the capacity of the
15 program, class, grade level, or building. If a charter school receives a
16 greater number of applications than there are spaces for students, each
17 timely applicant must be given an equal chance of admission. The

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1 organizer must determine which of the applicants will be admitted to
2 the charter school or the program, class, grade level, or building by
3 random drawing in a public meeting.

4 (c) A charter school may limit new admissions to the charter school
5 to:

6 (1) ensure that a student who attends the charter school during a
7 school year may continue to attend the charter school in
8 subsequent years; and

9 (2) allow the siblings of a student who attends a charter school to
10 attend the charter school.

11 (d) This subsection applies to an existing school that converts to a
12 charter school under ~~IC 20-24-11~~ **IC 20-52-3**. During the school year
13 in which the existing school converts to a charter school, the charter
14 school may limit admission to:

15 (1) those students who were enrolled in the charter school on the
16 date of the conversion; and

17 (2) siblings of students described in subdivision (1).

18 SECTION 3. IC 20-24-11 IS REPEALED [EFFECTIVE JULY 1,
19 2013]. (Conversion of Existing Public Schools Into Charter Schools).

20 SECTION 4. IC 20-52 IS ADDED TO THE INDIANA CODE AS
21 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
22 2013]:

23 **ARTICLE 52. PARENTAL INITIATIVES FOR SCHOOL**
24 **REORGANIZATION**

25 **Chapter 1. Application**

26 **Sec. 1. This article applies if, in the second or a subsequent year**
27 **after initial placement in either of the two (2) lowest categories or**
28 **designations under IC 20-31-9, a school remains in either of the**
29 **two (2) lowest categories or designations.**

30 **Chapter 2. Definitions**

31 **Sec. 1. The definitions in this chapter apply throughout this**
32 **article.**

33 **Sec. 2. The definitions in IC 20-24-1 apply throughout this**
34 **article.**

35 **Sec. 3. "Designated school" refers to a school to which this**
36 **article applies.**

37 **Sec. 4. "Household" means a unit consisting of a student who**
38 **attends a designated school and a parent of the student.**

39 **Sec. 5. "Lead partner" means an organization that employs**
40 **research based strategies to yield demonstrable and sustainable**
41 **results.**

42 **Chapter 3. Low Performing Schools; Parental Options**



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1 **Sec. 1. This chapter does not apply to an existing public**
 2 **elementary or secondary school, including a charter school, that**
 3 **has been scheduled for closure by the governing body of the**
 4 **charter school or the school corporation in which the school is**
 5 **located.**

6 **Sec. 2. (a) This section does not apply to a designated school that**
 7 **is a charter school.**

8 **(b) An existing public elementary or secondary school that is a**
 9 **designated school may be converted into a charter school if:**

10 **(1) the parents of at least fifty-one percent (51%) of the**
 11 **number of students who attend the designated school have**
 12 **signed a petition requesting the conversion; or**

13 **(2) the governing body votes to convert an existing school**
 14 **within the school corporation.**

15 **(c) The parents of at least fifty-one percent (51%) of the number**
 16 **of students who attend a designated school may petition the state**
 17 **board to place the school immediately under IC 20-31-9-4 and have**
 18 **the school supported by a lead partner.**

19 **Sec. 3. (a) This section applies to a designated school that is a**
 20 **charter school.**

21 **(b) An existing charter school that is a designated school may be**
 22 **transferred to the school corporation whose attendance area**
 23 **includes the location of the charter school that is a designated**
 24 **school. The charter school that is a designated school may be**
 25 **transferred to the school corporation if the parents of at least**
 26 **fifty-one percent (51%) of the number of students who attend the**
 27 **designated school have signed a petition requesting the transfer.**

28 **Sec. 4. A petition under this chapter must satisfy the**
 29 **requirements set forth in IC 20-52-4.**

30 **Chapter 4. Parental Petitions**

31 **Sec. 1. A petition under IC 20-52-3-2 must satisfy the following**
 32 **requirements:**

33 **(1) The petition must state which reorganization option the**
 34 **petitioners seek.**

35 **(2) A petition for conversion into a charter school:**

36 **(A) may include the name of a specific, existing charter**
 37 **school operator that proposes to operate the school and**
 38 **completed charter applications for the school; or**

39 **(B) may be circulated without the name of a specific**
 40 **charter school operator. If the petition is circulated**
 41 **without the name of a charter school operator, a proposed**
 42 **charter school operator must be selected not later than**

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ninety (90) days after the petition is submitted to the state board for approval under section 4 of this chapter.

The proposed charter school operator may be a group of parents.

(3) A petition for operation of the school by a lead partner:
(A) may include the name of a specific external education intervention organization that seeks to be a lead partner for the school and a proposal from the organization; or
(B) may be circulated without the name of a specific proposed lead partner. If the petition is circulated without the name of a proposed lead partner, the lead partner must be selected not later than ninety (90) days after the petition is submitted to the state board for approval under section 4 of this chapter.

(4) The petition may be signed only by a parent in a household and by only one (1) parent.

(5) A parent in a household may sign the petition the number of times that equals the number of students who reside in the household and attend the designated school.

(6) Each signature must include the signer's printed name and address.

(7) A petition must include the requisite signatures specified in IC 20-52-3-2.

(8) A completed petition containing the requisite signatures acquired must be submitted to the governing body. For purposes of determining the number of valid signatures required to implement the reorganization options under IC 20-52-3, the total number of students considered to be enrolled at the school is the number of student population on the date on which the petition is submitted to the governing body.

Sec. 2. (a) A parent may not be harassed, threatened, or otherwise intimidated when circulating a petition, signing a petition, or refusing to sign a petition.

(b) The resources of the designated school or the school corporation may not be used to support or oppose a petition.

Sec. 3. (a) This subsection does not apply to the transfer of the operation of charter school that is a designated school to a school corporation. After the governing body receives a completed petition containing the requisite signatures, the governing body shall deliver the petition and the roster of students who attend the designated school, including the addresses and the names of the

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1 parents of the students, to the state board. The state board shall
2 verify:

- 3 (1) each signature as being that of a parent in a household;
- 4 and
- 5 (2) that the number of times an adult member signed the
- 6 petition does not exceed the number of students in the
- 7 household who attend the designated school.

8 (b) This subsection applies to the transfer of the operation of a
9 charter school that is a designated school to a school corporation.
10 The group circulating the petition must submit the petition to the
11 governing body of the charter school that is a designated school.
12 The governing body of the charter school shall deliver the petition
13 and the roster of students who attend the charter school that is a
14 designated school, including the addresses and the names of the
15 parents of the students, to the state board. The state board shall
16 verify:

- 17 (1) each signature as being that of a parent in a household;
- 18 and
- 19 (2) that the number of times an adult member signed the
- 20 petition does not exceed the number of students in the
- 21 household who attend the charter school that is a designated
- 22 school.

23 (c) In verifying signatures under subsections (a) and (b), the
24 state board shall accept a signature if the intent of the parent to
25 sign can be determined.

26 (d) If, after verification under subsections (a) and (b), the
27 number of verified signatures falls below fifty-one percent (51%)
28 of the number of students in the designated school, the group
29 circulating the petition must be given an additional thirty (30) days
30 to collect additional signatures and return the modified petition to
31 the state board.

32 Sec. 4. (a) If a petition that has been verified under section 3 of
33 this chapter contains a number of signatures equal to at least
34 fifty-one percent (51%) of the number of students in the designated
35 school, the state board shall approve or deny the petition.

36 (b) The state board shall maintain accurate records of each
37 petition submitted under this chapter.

38 (c) The state board may deny a petition if the petition has been
39 submitted for a reason other than academic improvement or
40 student safety.

41 Chapter 5. Conversion to a Charter School

42 Sec. 1. (a) After the state board has approved a petition to

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1 convert a designated school to a charter school under IC 20-52-4-4,
2 the charter school operator selected by the petitioning group must
3 obtain a sponsor that approves the charter application.

4 (b) If parents successfully complete a petition for a designated
5 school that has been placed in either of the two (2) lowest
6 categories or designations under IC 20-31-8-4 for four (4)
7 consecutive years, the governing body may not serve as that
8 charter school's sponsor.

9 Sec. 2. Unless the petition specifies otherwise or the state board
10 specifies a different date, the conversion of a designated school to
11 a charter school becomes effective on the first day of the school
12 year that begins in the calendar year immediately following the
13 calendar year in which the petition was approved.

14 Sec. 3. The school corporation in which the conversion charter
15 school is located shall share all student records for the designated
16 school with the charter school operator.

17 Sec. 4. (a) A conversion charter school shall accept all students
18 who attended the conversion charter school before its conversion
19 and who wish to attend the conversion charter school.

20 (b) Students who attended the conversion charter school before
21 the school's conversion and who do not wish to attend the
22 conversion charter school shall be assigned to other schools
23 operated by the school corporation.

24 Sec. 5. IC 20-24 applies to the operation of a conversion charter
25 school.

26 Chapter 6. Operation with a Lead Partner

27 Sec. 1. Unless the petition specifies otherwise or the state board
28 specifies a different date, the operation of a designated school with
29 the support of a lead partner becomes effective on the first day of
30 the school year that begins in the calendar year immediately
31 following the calendar year in which the petition was approved.

32 Sec. 2. The school corporation in which the designated school is
33 located shall share all student records for the designated school
34 with the lead partner.

35 Sec. 3. The lead partner shall:

36 (1) hold regular community meetings, of which notice must be
37 given throughout the school corporation, to report on the
38 school's operation; and

39 (2) issue at least two (2) reports of school progress each school
40 year.

41 Chapter 7. Transfer of the Operation of a Charter School

42 Sec. 1. (a) After the state board has approved a petition to

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1 transfer the operation of a charter school that is a designated
 2 school to the school corporation whose attendance area includes
 3 the location of the charter school that is a designated school:

4 (1) notwithstanding any other law, the charter of the
 5 designated school is revoked on the date established in section
 6 2 of this chapter;

7 (2) the charter school that is a designated school and the
 8 governing body of the school corporation shall work together
 9 to resolve issues relating to the transfer of the operation of the
 10 school; and

11 (3) unless the governing body of the school corporation and
 12 the charter school otherwise agree, the governing body of the
 13 school corporation whose attendance area includes the
 14 location of the charter school must offer to purchase the
 15 charter school that is a designated school, and the amount of
 16 the offer must include:

17 (A) a debt relating to the charter school that is authorized
 18 by the state board under IC 20-52-8-1; and

19 (B) either:

20 (i) for a school building obtained by a charter school
 21 under IC 20-26-7-1, the costs for improvements made by
 22 the charter school that is a designated school to the
 23 school building, determined in the manner prescribed by
 24 the state board; or

25 (ii) for a school building that was not obtained by a
 26 charter school under IC 20-26-7-1, the value of the
 27 school building based upon an appraisal of the property.

28 (b) If the charter school that is a designated school refuses the
 29 offer to purchase the school building under subsection (a), the
 30 governing body of the school corporation shall provide educational
 31 service to the students of the charter school at a location
 32 determined by the governing body of the school corporation.

33 **Sec. 2.** Unless the petition specifies otherwise or the state board
 34 specifies a different date, the transfer of the operation of a charter
 35 school that is a designated school to a school corporation becomes
 36 effective on the first day of the school year that begins in the
 37 calendar year immediately following the calendar year in which
 38 the petition was approved.

39 **Sec. 3.** The charter school that is a designated school shall share
 40 all student records with the school corporation to which the
 41 operation of the school has been transferred.

42 **Sec. 4. (a)** A conversion charter school shall accept all students

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1 who attended the school before its conversion and who wish to
2 attend the conversion charter school.

3 (b) Students who attended the conversion charter school before
4 the school's conversion and who do not wish to attend the
5 conversion charter school shall be assigned to other schools
6 operated by the school corporation.

7 Chapter 8. Rules

8 Sec. 1. The state board shall adopt rules under IC 4-22-2 and
9 may adopt emergency rules in the manner provided under
10 IC 4-22-2-37.1 to carry out this article. Rules adopted under this
11 section must include the following:

- 12 (1) Formats for petitions.
- 13 (2) Petition submission requirements.
- 14 (3) Petition signature verification processes and requirements.
- 15 (4) Qualifications for conversion charter school operators and
16 lead partners.
- 17 (5) Reporting requirements to the state board and
18 communities for conversion charter school operators and lead
19 partners.
- 20 (6) Requirements for the transfer of the operation of a charter
21 school that is a designated school to a school corporation,
22 including the types of debts that a school corporation must
23 include in an offer to purchase a charter school building
24 under IC 20-52-7-1.

25 SECTION 5. IC 36-1.5-4-7, AS AMENDED BY P.L.26-2012,
26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2013]: Sec. 7. (a) In the year before the year in which the
28 participating political subdivisions are reorganized under this chapter:

- 29 (1) subject to subsection (b), the fiscal bodies of the reorganizing
30 political subdivisions shall, in the manner provided by
31 IC 6-1.1-17, adopt tax levies, tax rates, and a budget for the
32 reorganized political subdivision either through the adoption of
33 substantially identical resolutions adopted by each of the fiscal
34 bodies or, if authorized in the plan of reorganization, through a
35 joint board established under an agreement of the fiscal bodies on
36 which the members of each of the fiscal bodies are represented;
37 and
- 38 (2) if the reorganized political subdivision will have elected
39 offices and different election districts than any of the reorganizing
40 political subdivisions, the legislative bodies of the reorganizing
41 political subdivisions shall establish the election districts either
42 through the adoption of substantially identical resolutions adopted

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1 by each of the legislative bodies or, if authorized in the plan of
 2 reorganization, through a joint board established under an
 3 agreement of the legislative bodies on which the members of each
 4 of the legislative bodies are represented.

5 (b) This subsection applies to two (2) or more school corporations
 6 that participate in a reorganization in which the voters approve a plan
 7 of reorganization in a general election and the plan of reorganization
 8 provides for the reorganization to become effective for property taxes
 9 first due and payable in the immediately following calendar year. The
 10 participating school corporations may publish notices, hold public
 11 hearings, and take final action for the adoption of property tax levies,
 12 property tax rates, and a budget for the reorganized school corporation
 13 after the voters approve the plan of reorganization. The alternative
 14 schedule must comply with the following:

15 (1) Each participating school corporation shall give notice by
 16 publication to taxpayers of:

- 17 (A) the estimated budget;
- 18 (B) the estimated maximum permissible levy;
- 19 (C) the current and proposed tax levies of each fund; and
- 20 (D) the amounts of excessive levy appeals to be requested;

21 for the ensuing year. The notice must be published twice in
 22 accordance with IC 5-3-1 with the first publication at least ten
 23 (10) days before the date fixed for the public hearing and with the
 24 last publication not later than November 24 of the year the public
 25 question is approved by the voters.

26 (2) Each participating school corporation must conduct a public
 27 hearing on the proposed tax levies, tax rates, and budget at least
 28 ten (10) days before the date the participating school corporation
 29 adopts the proposed tax levies, tax rates, and budget.

30 (3) The governing body of each participating school corporation
 31 must meet to fix the tax levies, tax rates, and budget for the
 32 ensuing year before December 6 of the year the public question
 33 is approved by the voters.

34 (4) The county auditor shall certify the adopted property tax
 35 levies, property tax rates, and budget for the reorganized school
 36 corporation to the department of local government finance before
 37 December 8 in the year in which the public question is approved
 38 by the voters.

39 The department of local government finance may adjust any other
 40 applicable time limit specified in IC 6-1.1-17 to be consistent with this
 41 section. However, the department of local government finance is
 42 expressly directed to complete the duties assigned to it under

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1 IC 6-1.1-17-16 with respect to the submitted property tax levies,
2 property tax rates, and budget not later than February 15 in the ensuing
3 year.
4 (c) If a school is converted into a charter school under ~~IC 20-24-11~~,
5 **IC 20-52-5**, the charter school must, before December 1 of each year,
6 publish its estimated annual budget for the ensuing year in accordance
7 with IC 5-3-1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1358, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 2, delete "school" and insert **school, including a charter school,**.

Page 3, line 3, after "of the" insert "**charter school or the**".

Page 3, line 5, delete "An" and insert "**This section does not apply to a designated school that is a charter school.**

(b) An".

Page 3, line 8, after "of the" insert "**number of**".

Page 3, line 10, delete "conversion, which must be completed" and insert "**conversion; or**".

Page 3, delete lines 11 through 12.

Page 3, line 15, delete "(b)" and insert "**(c)**".

Page 3, line 15, after "of the" insert "**number of**".

Page 3, line 18, delete "operated" and insert "**supported**".

Page 3, line 18, delete "The petition must be".

Page 3, delete lines 19 through 20, begin a new paragraph and insert:

"Sec. 3. (a) This section applies to a designated school that is a charter school.

(b) An existing charter school that is a designated school may be transferred to the school corporation whose attendance area includes the location of the charter school that is a designated school. The charter school that is a designated school may be transferred to the school corporation if the parents of at least fifty-one percent (51%) of the number of students who attend the designated school have signed a petition requesting the transfer."

Page 3, line 21, delete "Sec. 3." and insert "**Sec. 4.**".

Page 4, line 15, delete "acquired" and insert "**specified in IC 20-52-3-2.**".

Page 4, delete line 16.

Page 4, line 18, delete "in the requisite time frame".

Page 4, line 19, after "body." insert "**For purposes of determining the number of valid signatures required to implement the reorganization options under IC 20-52-3, the total number of students considered to be enrolled at the school is the number of student population on the date on which the petition is submitted to the governing body.**".



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Page 4, line 25, after "(a)" insert **"This subsection does not apply to the transfer of the operation of charter school that is a designated school to a school corporation."**

Page 4, between lines 35 and 36, begin a new paragraph and insert:

"(b) This subsection applies to the transfer of the operation of a charter school that is a designated school to a school corporation. The group circulating the petition must submit the petition to the governing body of the charter school that is a designated school. The governing body of the charter school shall deliver the petition and the roster of students who attend the charter school that is a designated school, including the addresses and the names of the parents of the students, to the state board. The state board shall verify:

- (1) each signature as being that of a parent in a household; and**
- (2) that the number of times an adult member signed the petition does not exceed the number of students in the household who attend the charter school that is a designated school."**

Page 4, line 36, delete "(b)" and insert "(c)".

Page 4, line 36, delete "subsection (a)," and insert **"subsections (a) and (b),"**

Page 4, line 39, delete "(c)" and insert "(d)".

Page 4, line 39, delete "subsection (a)," and insert **"subsections (a) and (b),"**

Page 4, line 41, after "in the" insert **"designated"**.

Page 5, line 30, after "the" insert **"conversion charter"**.

Page 6, between lines 10 and 11, begin a new paragraph and insert:

"Chapter 7. Transfer of the Operation of a Charter School

Sec. 1. (a) After the state board has approved a petition to transfer the operation of a charter school that is a designated school to the school corporation whose attendance area includes the location of the charter school that is a designated school:

- (1) notwithstanding any other law, the charter of the designated school is revoked on the date established in section 2 of this chapter;**
- (2) the charter school that is a designated school and the governing body of the school corporation shall work together to resolve issues relating to the transfer of the operation of the school; and**
- (3) unless the governing body of the school corporation and the charter school otherwise agree, the governing body of the**

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school corporation whose attendance area includes the location of the charter school must offer to purchase the charter school that is a designated school, and the amount of the offer must include:

(A) a debt relating to the charter school that is authorized by the state board under IC 20-52-8-1; and

(B) either:

(i) for a school building obtained by a charter school under IC 20-26-7-1, the costs for improvements made by the charter school that is a designated school to the school building, determined in the manner prescribed by the state board; or

(ii) for a school building that was not obtained by a charter school under IC 20-26-7-1, the value of the school building based upon an appraisal of the property.

(b) If the charter school that is a designated school refuses the offer to purchase the school building under subsection (a), the governing body of the school corporation shall provide educational service to the students of the charter school at a location determined by the governing body of the school corporation.

Sec. 2. Unless the petition specifies otherwise or the state board specifies a different date, the transfer of the operation of a charter school that is a designated school to a school corporation becomes effective on the first day of the school year that begins in the calendar year immediately following the calendar year in which the petition was approved.

Sec. 3. The charter school that is a designated school shall share all student records with the school corporation to which the operation of the school has been transferred.

Sec. 4. (a) A conversion charter school shall accept all students who attended the school before its conversion and who wish to attend the conversion charter school.

(b) Students who attended the conversion charter school before the school's conversion and who do not wish to attend the conversion charter school shall be assigned to other schools operated by the school corporation."

Page 6, line 11, delete "Chapter 7," and insert "Chapter 8."

Page 6, after line 23, begin a new line block indented and insert:

"(6) Requirements for the transfer of the operation of a charter school that is a designated school to a school corporation, including the types of debts that a school corporation must include in an offer to purchase a charter

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school building under IC 20-52-7-1.

SECTION 5. IC 36-1.5-4-7, AS AMENDED BY P.L.26-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) In the year before the year in which the participating political subdivisions are reorganized under this chapter:

(1) subject to subsection (b), the fiscal bodies of the reorganizing political subdivisions shall, in the manner provided by IC 6-1.1-17, adopt tax levies, tax rates, and a budget for the reorganized political subdivision either through the adoption of substantially identical resolutions adopted by each of the fiscal bodies or, if authorized in the plan of reorganization, through a joint board established under an agreement of the fiscal bodies on which the members of each of the fiscal bodies are represented; and

(2) if the reorganized political subdivision will have elected offices and different election districts than any of the reorganizing political subdivisions, the legislative bodies of the reorganizing political subdivisions shall establish the election districts either through the adoption of substantially identical resolutions adopted by each of the legislative bodies or, if authorized in the plan of reorganization, through a joint board established under an agreement of the legislative bodies on which the members of each of the legislative bodies are represented.

(b) This subsection applies to two (2) or more school corporations that participate in a reorganization in which the voters approve a plan of reorganization in a general election and the plan of reorganization provides for the reorganization to become effective for property taxes first due and payable in the immediately following calendar year. The participating school corporations may publish notices, hold public hearings, and take final action for the adoption of property tax levies, property tax rates, and a budget for the reorganized school corporation after the voters approve the plan of reorganization. The alternative schedule must comply with the following:

(1) Each participating school corporation shall give notice by publication to taxpayers of:

- (A) the estimated budget;
- (B) the estimated maximum permissible levy;
- (C) the current and proposed tax levies of each fund; and
- (D) the amounts of excessive levy appeals to be requested;

for the ensuing year. The notice must be published twice in accordance with IC 5-3-1 with the first publication at least ten (10) days before the date fixed for the public hearing and with the

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last publication not later than November 24 of the year the public question is approved by the voters.

(2) Each participating school corporation must conduct a public hearing on the proposed tax levies, tax rates, and budget at least ten (10) days before the date the participating school corporation adopts the proposed tax levies, tax rates, and budget.

(3) The governing body of each participating school corporation must meet to fix the tax levies, tax rates, and budget for the ensuing year before December 6 of the year the public question is approved by the voters.

(4) The county auditor shall certify the adopted property tax levies, property tax rates, and budget for the reorganized school corporation to the department of local government finance before December 8 in the year in which the public question is approved by the voters.

The department of local government finance may adjust any other applicable time limit specified in IC 6-1.1-17 to be consistent with this section. However, the department of local government finance is expressly directed to complete the duties assigned to it under IC 6-1.1-17-16 with respect to the submitted property tax levies, property tax rates, and budget not later than February 15 in the ensuing year.

(c) If a school is converted into a charter school under ~~IC 20-24-11~~, **IC 20-52-5**, the charter school must, before December 1 of each year, publish its estimated annual budget for the ensuing year in accordance with IC 5-3-1."

and when so amended that said bill do pass.

(Reference is to HB 1358 as introduced.)

BEHNING, Chair

Committee Vote: yeas 8, nays 4.

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