
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE N1058(B)
INDIANAPOLIS, IN 46204
PHONE (317) 232-3777
FAX (317) 974-1629

TO: School Corporation Officials
FROM: Wesley R. Bennett, Commissioner
RE: Legislation on School Operating Referenda, SEA 560-2019
DATE: June 17, 2019

This memorandum discusses a change made to school corporation operating referenda made by Senate Enrolled Act 560-2019 (“SEA 560”), signed by Governor Holcomb on May 6, 2019. This memorandum is for informative purposes and is not a substitute for reading the law.

Prior to SEA 560, a ballot question for an operating referendum pursuant to IC 20-46-1 had to be certified by the county election board no later than noon, sixty (60) days before the primary election. Section 175 of SEA 560 amends IC 20-46-1-14(a) by moving this date forward by fourteen (14) days. Hence, the ballot question must be certified no later than noon, seventy-four (74) days before the date of the primary election.

Effectively, this matches the deadline with controlled project referenda under IC 6-1.1-20-3.6(e). The Department of Local Government Finance notes this change does not apply to a special election or for the general election. Therefore, if there is no primary election in the school corporation when the referendum is first eligible to be on the ballot, the ballot question must be certified no later than noon, sixty (60) days before the special election.

This amendment to IC 20-46-1-14 is effective upon passage. However, because this change does not apply to a general election or special election, this change will first affect operating referenda sought to be put before the taxpayers in the 2020 May primary elections.

Contact Information

Questions may be directed to David Marusarz, Deputy General Counsel, at (317) 233-6770 or by e-mail at dmarusarz@dlgf.in.gov.