

SENATE BILL No. 350

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-23-17.2.

Synopsis: East Chicago school board. Reduces the number of members of the governing body of the School City of East Chicago from nine to five, beginning January 1, 2017. Provides that if a vacancy occurs on the governing body before January 1, 2017, the vacancy shall not be filled unless the vacancy reduces the number of members to fewer than five. Provides that three members of the governing body are elected at large by the voters of the city, one member is appointed by the city executive, and one member is appointed by the city legislative body. Repeals and provides for the expiration of statutes consistent with the new structure of the governing body.

Effective: July 1, 2015.

Randolph

January 8, 2015, read first time and referred to Committee on Elections.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 350

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 20-23-17.2-3, AS ADDED BY P.L.179-2011,
- 2 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2015]: Sec. 3. (a) The governing body of the school
- 4 corporation consists of nine (9) members who shall be elected as
- 5 follows:
- 6 (1) One (1) member shall be elected from each of the school
- 7 districts described in section 4 of this chapter. A member elected
- 8 under this subdivision must reside within the boundaries of the
- 9 district the member represents.
- 10 (2) Three (3) members, who must reside within the boundaries of
- 11 the school corporation, shall be elected as at-large members.
- 12 (3) All members shall be elected on a nonpartisan basis.
- 13 (4) All members shall be elected at the general election held in
- 14 the county in 2012. ~~and each four (4) years thereafter.~~
- 15 (b) Upon assuming office and in conducting the business of the
- 16 governing body, a member shall represent the interests of the entire



1 school corporation.

2 **(c) This section expires January 1, 2017.**

3 SECTION 2. IC 20-23-17.2-3.1 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2015]: **Sec. 3.1. (a) After December 31, 2016,**
6 **the governing body of the school corporation consists of five (5)**
7 **members.**

8 **(b) Three (3) members of the governing body shall be elected as**
9 **follows:**

10 **(1) At large by all the voters of the school corporation.**

11 **(2) On a nonpartisan basis.**

12 **(3) At the general election held in the county in 2016 and**
13 **every four (4) years thereafter.**

14 **(c) The city executive shall appoint one (1) member of the**
15 **governing body before the member's term of office begins.**

16 **(d) The city legislative body shall appoint one (1) member of the**
17 **governing body before the member's term of office begins.**

18 **(e) The term of office of a member of the governing body (both**
19 **elected and appointed):**

20 **(1) is four (4) years; and**

21 **(2) begins January 1 after the election of members of the**
22 **governing body.**

23 **(f) Upon assuming office and in conducting the business of the**
24 **governing body, a member shall represent the interests of the**
25 **entire school corporation.**

26 SECTION 3. IC 20-23-17.2-3.2 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2015]: **Sec. 3.2. (a) Notwithstanding section**
29 **10 of this chapter, as in effect before July 1, 2015, and as amended**
30 **after June 30, 2015, if:**

31 **(1) a vacancy occurs in the office of a member of the**
32 **governing body after June 30, 2015; and**

33 **(2) the vacancy does not reduce the membership of the**
34 **governing body to fewer than five (5) members;**

35 **the vacancy shall not be filled.**

36 **(b) The city executive shall appoint the member of the governing**
37 **body under section 3.1(c) of this chapter before January 1, 2017.**

38 **(c) The city legislative body shall appoint the member of the**
39 **governing body under section 3.1(d) of this chapter before January**
40 **1, 2017.**

41 **(d) The individuals appointed under subsections (b) and (c) take**
42 **office on January 1, 2017, and serve a four (4) year term as**



1 **provided in this chapter.**

2 **(e) This section expires January 1, 2023.**

3 SECTION 4. IC 20-23-17.2-4, AS ADDED BY P.L.179-2011,
4 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 4. (a) The boundaries of the districts from which
6 members of the governing body of the school corporation are elected
7 under section 3(a)(1) of this chapter are the same as the boundaries of
8 the common council districts of the city that are drawn under
9 IC 36-4-6.

10 **(b) This section expires January 1, 2017.**

11 SECTION 5. IC 20-23-17.2-5, AS AMENDED BY P.L.219-2013,
12 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 5. (a) The following apply to an election of
14 members of the governing body of the school corporation under section
15 3(a)(1) of this chapter:

16 (1) Each candidate must file a petition of nomination with the
17 circuit court clerk not earlier than one hundred four (104) days
18 and not later than seventy-four (74) days before the general
19 election at which members are to be elected. The petition of
20 nomination must include the following information:

21 (A) The name of the candidate:

22 (B) The candidate's residence address and the district in which
23 the candidate resides:

24 (C) The signatures of at least twenty (20) registered voters
25 residing within the school corporation district the candidate
26 seeks to represent:

27 (D) A certification that the candidate meets the qualifications
28 for candidacy imposed by this chapter:

29 (2) Only eligible voters residing in the school corporation district
30 may vote for a candidate to represent that district.

31 (3) One (1) candidate shall be elected for each district. The
32 candidate elected for a district must reside within the boundaries
33 of the district. The candidate elected as the member for a
34 particular district is the candidate who, among all the candidates
35 who reside within that district, receives the greatest number of
36 votes from voters residing in that district.

37 (b) The following apply to an election of the members of the
38 governing body of the school corporation under section 3(a)(2) 3.1 of
39 this chapter:

40 (1) Each candidate must file a petition of nomination with the
41 circuit court clerk not earlier than one hundred four (104) days
42 and not later than seventy-four (74) days before the general



1 election at which members are to be elected. The petition of
2 nomination must include the following information:

3 (A) The name of the candidate.

4 (B) The candidate's residence address.

5 (C) The signatures of at least one hundred (100) registered
6 voters residing within the school corporation.

7 (D) A certification that the candidate meets the qualifications
8 for candidacy imposed by this chapter.

9 (2) Only eligible voters residing in the school corporation may
10 vote for a candidate.

11 (3) Three (3) candidates shall be elected at large. The three (3)
12 candidates who receive the greatest number of votes among all
13 candidates running for an at-large seat are elected as members of
14 the governing body.

15 SECTION 6. IC 20-23-17.2-6, AS ADDED BY P.L.179-2011,
16 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 6. Voters who reside within the boundaries of the
18 school corporation may vote for the candidates elected under section
19 3 3.1 of this chapter. Each voter may vote only for

20 (1) one (1) candidate to represent the district in which the voter
21 resides; and

22 (2) three (3) at-large candidates.

23 SECTION 7. IC 20-23-17.2-8 IS REPEALED [EFFECTIVE JULY
24 1, 2015]. Sec. 8: (a) The term of each person elected to serve on the
25 governing body of the school corporation is four (4) years.

26 (b) The term of each person elected to serve on the governing body
27 begins on the date set in the school corporation's organization plan. The
28 date set in the organization plan for an elected member of the
29 governing body to take office may not be more than fourteen (14)
30 months after the date of the member's election. If the school
31 corporation's organization plan does not set a date for an elected
32 member of the governing body to take office, the member takes office
33 January 1 immediately following the person's election.

34 SECTION 8. IC 20-23-17.2-9, AS ADDED BY P.L.179-2011,
35 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 9. The **elect**ed members of the governing body of
37 the school corporation shall be elected at the general election to be held
38 in ~~2012~~ **2016** and every four (4) years thereafter.

39 SECTION 9. IC 20-23-17.2-10, AS ADDED BY P.L.179-2011,
40 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 10. (a) A vacancy in the office of a **an elect**ed
42 member of the governing body of the school corporation shall be filled



- 1 temporarily by the governing body as soon as practicable after the
2 vacancy occurs.
- 3 **(b) A vacancy in the office of an appointed member of the**
4 **governing body shall be filled by the appointing authority that has**
5 **the appointment of that member under section 3.1 of this chapter.**
6 **The appointing authority shall fill the vacancy as soon as**
7 **practicable after the vacancy occurs.**
- 8 (c) An individual filling a vacancy under this section serves until the
9 expiration of the term of the member whose position the individual
10 fills.

