

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6232**

**BILL NUMBER:** HB 1428

**NOTE PREPARED:** Feb 10, 2023

**BILL AMENDED:** Feb 9, 2023

**SUBJECT:** School Board Elections.

**FIRST AUTHOR:** Rep. Prescott

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) The bill provides that a candidate for a school board office may not be an employee or agent of that school corporation. The bill provides that a school board may adopt a resolution to provide that instead of being nominated and elected on a nonpartisan basis, the members of the school board can be: (1) nominated and elected on a partisan basis as all other candidates are nominated and elected; or (2) nominated as school board candidates are currently nominated but elected with the candidate's partisan affiliation, if any, stated on the general election ballot.

The bill provides that the voters of a school corporation can make the same changes to the election of the school board members as a school board adopted resolution through a petition and referendum process. The bill makes conforming changes.

**Effective Date:** January 1, 2024.

**Explanation of State Expenditures:** The provisions of the bill would likely require the Election Division to update some manuals and forms which should be able to be changed as a matter of routine business.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) In those jurisdictions that have chosen to elect school board governing bodies by a partisan process, county election officials would need to change ballots to include school board candidates on primary ballots and change the order of candidates on general election ballots. However, these ballot changes would likely be accommodated as part of routine election ballot preparation and programming prior to elections.

Petitions for establishment of partisan elections within school corporations would have to be certified by the county voter registration office (CVRO). CVROs would see an increase in administrative workload to certify the requisite signatures and to confirm that those persons are citizens residing within the school corporation of the county petitioning for a partisan election process of their board members.

County election officials may have to add a public question to general election ballots if petitions are approved by CVROs. It is likely this change would have a minor impact to ballot expenses in future general elections.

School corporations that have partisan board member elections would need to revise their corporation plans to indicate a partisan method of election for board members.

Circuit court clerks, in counties with partisan elected school corporation governing bodies would no longer certify petitions of nomination for major-party school board candidates. However, those clerks would likely be verifying more signatures for minor-party and independent candidates.

*Additional Information*– School board candidates currently file petitions of nomination, containing 10 signatures, except in a few certain school districts. Under the bill, circuit court clerks would need to verify additional signatures, equal to 2% of the number of voters that voted in the latest Secretary of State election for that election district, for independent school board candidates and most minor-party candidates (not Libertarian). There were about 1,310 candidates on the ballot for school board during the 2022 general election.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Election Division.

**Local Agencies Affected:** Circuit court clerks; CVRO's.

**Information Sources:** Indiana Election Division- 2022 General Election Results, *2022 Indiana Candidate Guide*, Indiana Election Division.

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