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FISCAL IMPACT STATEMENT

LS 6232

BILL NUMBER: HB 1428

NOTE PREPARED: Feb 14, 2023

BILL AMENDED: Feb 14, 2023

SUBJECT: School Board Elections.

FIRST AUTHOR: Rep. Prescott

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st 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 establishes a process for a school board or the voters in a school corporation to change the method by which the members of the school board are nominated and elected. The bill provides that the members of a school board may be nominated and elected by one of the following processes: (1) Through nonpartisan election (as is the case under current law). (2) Through nonpartisan nomination (under the current process) and designation of a candidate's political affiliation or independent status on the general election ballot. (3) Through nomination and election in a partisan process as other candidates for elected office are nominated and elected.

The bill provides that a school board may adopt a resolution to initiate a change or the voters of the school corporation may initiate a change through petition. The bill provides that, in either case, the voters of the school corporation must approve any change by public question. The bill provides that the method of election of members of a school board may not be changed until after 10 years after the most recent change was made. 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. If partisan elections have been chosen, persons voting would have to choose the candidate if they had already selected straight ticket voting for all prior offices on the ballot. Although, this requirement already applies to voting for at-large local office candidates, county clerks may need additional administrative time to program the voting systems to require voters to actually select school board members, if the voter chooses to vote for school board, and if the voter already selected straight ticket voting for other offices on the ballot where straight ticket voting is allowed.

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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