



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1423 be amended to read as follows:

- 1 Page 2, between lines 24 and 25, begin a new paragraph and insert:
2 "SECTION 2. IC 5-14-1.5-2, AS AMENDED BY P.L.186-2025,
3 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 2. For the purposes of this chapter:
5 (a) "Public agency", except as provided in section 2.1 of this
6 chapter, means the following:
7 (1) Any board, commission, department, agency, authority, or
8 other entity, by whatever name designated, exercising a portion of
9 the executive, administrative, or legislative power of the state.
10 (2) Any county, township, school corporation, city, town, political
11 subdivision, or other entity, by whatever name designated,
12 exercising in a limited geographical area the executive,
13 administrative, or legislative power of the state or a delegated
14 local governmental power.
15 (3) Any entity which is subject to either:
16 (A) budget review by either the department of local
17 government finance or the governing body of a county, city,
18 town, township, or school corporation; or
19 (B) audit by the state board of accounts that is required by
20 statute, rule, or regulation.
21 (4) Any building corporation of a political subdivision of the state
22 of Indiana that issues bonds for the purpose of constructing public
23 facilities.
24 (5) Any advisory commission, committee, or body created by
25 statute, ordinance, or executive order to advise the governing
26 body of a public agency, except medical staffs or the committees

- 1 of any such staff.
- 2 (6) The Indiana gaming commission established by IC 4-33,
3 including any department, division, or office of the commission.
- 4 (7) The Indiana horse racing commission established by IC 4-31,
5 including any department, division, or office of the commission.
- 6 **(8) The Indianapolis public education corporation established**
7 **by IC 20-25.3-3-1.**
- 8 (b) "Governing body" means two (2) or more individuals who are
9 any of the following:
- 10 (1) A public agency that:
- 11 (A) is a board, a commission, an authority, a council, a
12 committee, a body, or other entity; and
13 (B) takes official action on public business.
- 14 (2) The board, commission, council, or other body of a public
15 agency which takes official action upon public business.
- 16 (3) Any committee appointed directly by the governing body or
17 its presiding officer to which authority to take official action upon
18 public business has been delegated. However, the following do
19 not constitute a governing body for purposes of this chapter:
- 20 (A) An agent or agents appointed by the governing body to
21 conduct collective bargaining on behalf of the governing body.
- 22 (B) A committee appointed directly by the governing body or
23 a designee of the governing body:
- 24 (i) for the sole purpose of receiving information,
25 deliberating, or making recommendations to the governing
26 body; and
27 (ii) that has not more than one (1) member of the governing
28 body as a member.
- 29 (c) "Meeting" means a gathering of a majority of the governing body
30 of a public agency for the purpose of taking official action upon public
31 business. It does not include any of the following:
- 32 (1) Any social or chance gathering not intended to avoid this
33 chapter.
- 34 (2) Any on-site inspection of any:
- 35 (A) project;
36 (B) program; or
37 (C) facilities of applicants for incentives or assistance from the
38 governing body.
- 39 (3) Traveling to and attending meetings of organizations devoted
40 to betterment of government.
- 41 (4) A caucus.
- 42 (5) A gathering to discuss an industrial or a commercial prospect
43 that does not include a conclusion as to recommendations, policy,
44 decisions, or final action on the terms of a request or an offer of
45 public financial resources.
- 46 (6) An orientation of members of the governing body on their role

- 1 and responsibilities as public officials, but not for any other
- 2 official action.
- 3 (7) A gathering for the sole purpose of administering an oath of
- 4 office to an individual.
- 5 (8) Collective bargaining discussions that the governing body of
- 6 a school corporation engages in directly with bargaining
- 7 adversaries. This subdivision applies only to a governing body
- 8 that has not appointed an agent or agents to conduct collective
- 9 bargaining on behalf of the governing body as described in
- 10 subsection (b)(3).
- 11 (d) "Official action" means to:
- 12 (1) receive information;
- 13 (2) deliberate;
- 14 (3) make recommendations;
- 15 (4) establish policy;
- 16 (5) make decisions; or
- 17 (6) take final action.
- 18 (e) "Public business" means any function upon which the public
- 19 agency is empowered or authorized to take official action.
- 20 (f) "Executive session" means a meeting from which the public is
- 21 excluded, except the governing body may admit those persons
- 22 necessary to carry out its purpose. The governing body may also admit
- 23 an individual who has been elected to the governing body but has not
- 24 been sworn in as a member of the governing body.
- 25 (g) "Final action" means a vote by the governing body on any
- 26 motion, proposal, resolution, rule, regulation, ordinance, or order.
- 27 (h) "Caucus" means a gathering of members of a political party or
- 28 coalition which is held for purposes of planning political strategy and
- 29 holding discussions designed to prepare the members for taking official
- 30 action.
- 31 (i) "Deliberate" means a discussion which may reasonably be
- 32 expected to result in official action (defined under subsection (d)(3),
- 33 (d)(4), (d)(5), or (d)(6)).
- 34 (j) "News media" means all newspapers qualified to receive legal
- 35 advertisements under IC 5-3-1, all news services (as defined in
- 36 IC 34-6-2.1-131), and all licensed commercial or public radio or
- 37 television stations.
- 38 (k) "Person" means an individual, a corporation, a limited liability
- 39 company, a partnership, an unincorporated association, or a
- 40 governmental entity.
- 41 (l) "State educational institution" has the meaning set forth in
- 42 IC 21-7-13-32.
- 43 (m) "Charter school" has the meaning set forth in IC 20-24-1-4).
- 44 The term includes a virtual charter school (as defined in
- 45 IC 20-24-1-10).".
- 46 Page 13, line 1, delete "consultant," and insert "**contractor**,".

- 1 Renumber all SECTIONS consecutively.
(Reference is to EHB 1423 as printed February 20, 2026.)

Senator HUNLEY