

# PROPOSED AMENDMENT

## HB 1423 # 29

### DIGEST

Open door law. Includes the Indianapolis public education corporation (corporation) in the definition of "public agency" for purposes of the open door law. Changes a reference from "consultant" to "contractor."

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- 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  
27          of any such staff.

1 (6) The Indiana gaming commission established by IC 4-33,  
2 including any department, division, or office of the commission.

3 (7) The Indiana horse racing commission established by IC 4-31,  
4 including any department, division, or office of the commission.

5 **(8) The Indianapolis public education corporation established**  
6 **by IC 20-25.3-3-1.**

7 (b) "Governing body" means two (2) or more individuals who are  
8 any of the following:

9 (1) A public agency that:

10 (A) is a board, a commission, an authority, a council, a  
11 committee, a body, or other entity; and

12 (B) takes official action on public business.

13 (2) The board, commission, council, or other body of a public  
14 agency which takes official action upon public business.

15 (3) Any committee appointed directly by the governing body or  
16 its presiding officer to which authority to take official action upon  
17 public business has been delegated. However, the following do  
18 not constitute a governing body for purposes of this chapter:

19 (A) An agent or agents appointed by the governing body to  
20 conduct collective bargaining on behalf of the governing body.

21 (B) A committee appointed directly by the governing body or  
22 a designee of the governing body:

23 (i) for the sole purpose of receiving information,  
24 deliberating, or making recommendations to the governing  
25 body; and

26 (ii) that has not more than one (1) member of the governing  
27 body as a member.

28 (c) "Meeting" means a gathering of a majority of the governing body  
29 of a public agency for the purpose of taking official action upon public  
30 business. It does not include any of the following:

31 (1) Any social or chance gathering not intended to avoid this  
32 chapter.

33 (2) Any on-site inspection of any:

34 (A) project;

35 (B) program; or

36 (C) facilities of applicants for incentives or assistance from the  
37 governing body.

38 (3) Traveling to and attending meetings of organizations devoted  
39 to betterment of government.

40 (4) A caucus.

- 1 (5) A gathering to discuss an industrial or a commercial prospect  
2 that does not include a conclusion as to recommendations, policy,  
3 decisions, or final action on the terms of a request or an offer of  
4 public financial resources.
- 5 (6) An orientation of members of the governing body on their role  
6 and responsibilities as public officials, but not for any other  
7 official action.
- 8 (7) A gathering for the sole purpose of administering an oath of  
9 office to an individual.
- 10 (8) Collective bargaining discussions that the governing body of  
11 a school corporation engages in directly with bargaining  
12 adversaries. This subdivision applies only to a governing body  
13 that has not appointed an agent or agents to conduct collective  
14 bargaining on behalf of the governing body as described in  
15 subsection (b)(3).
- 16 (d) "Official action" means to:
- 17 (1) receive information;
- 18 (2) deliberate;
- 19 (3) make recommendations;
- 20 (4) establish policy;
- 21 (5) make decisions; or
- 22 (6) take final action.
- 23 (e) "Public business" means any function upon which the public  
24 agency is empowered or authorized to take official action.
- 25 (f) "Executive session" means a meeting from which the public is  
26 excluded, except the governing body may admit those persons  
27 necessary to carry out its purpose. The governing body may also admit  
28 an individual who has been elected to the governing body but has not  
29 been sworn in as a member of the governing body.
- 30 (g) "Final action" means a vote by the governing body on any  
31 motion, proposal, resolution, rule, regulation, ordinance, or order.
- 32 (h) "Caucus" means a gathering of members of a political party or  
33 coalition which is held for purposes of planning political strategy and  
34 holding discussions designed to prepare the members for taking official  
35 action.
- 36 (i) "Deliberate" means a discussion which may reasonably be  
37 expected to result in official action (defined under subsection (d)(3),  
38 (d)(4), (d)(5), or (d)(6)).
- 39 (j) "News media" means all newspapers qualified to receive legal  
40 advertisements under IC 5-3-1, all news services (as defined in

1 IC 34-6-2.1-131), and all licensed commercial or public radio or  
2 television stations.

3 (k) "Person" means an individual, a corporation, a limited liability  
4 company, a partnership, an unincorporated association, or a  
5 governmental entity.

6 (l) "State educational institution" has the meaning set forth in  
7 IC 21-7-13-32.

8 (m) "Charter school" has the meaning set forth in IC 20-24-1-4).  
9 The term includes a virtual charter school (as defined in  
10 IC 20-24-1-10).".

11 Page 12, line 36, delete "consultant," and insert "**contractor**".

12 Renumber all SECTIONS consecutively.

(Reference is to HB 1423 as reprinted January 30, 2026.)