

# PROPOSED AMENDMENT

## EH 1423 # 33

### DIGEST

Governing body. Prohibits the conversion of a school corporation's elected or appointed governing body to an advisory board, corporation, or appointed advisory board or corporation, except by certain ballot initiatives.

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- 1 Delete everything after the enacting clause and insert the following:  
2 SECTION 1. IC 20-23-8-4, AS ADDED BY P.L.1-2005, SECTION  
3 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
4 2026]: Sec. 4. As used in this chapter, "plan" means the manner in  
5 which the governing body of a school corporation is constituted,  
6 including the number, qualifications, length of terms, manner, and time  
7 of selection, either by appointment or by election of the members of the  
8 governing body, **or the conversion of a governing body under**  
9 **section 26 of this chapter.**
- 10 SECTION 2. IC 20-23-8-17, AS ADDED BY P.L.1-2005,  
11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2026]: Sec. 17. (a) The clerk shall create the form of notice of  
13 the election and the ballot not more than thirty (30) days after receiving  
14 the certification from the state board as required by section 15 **or 26** of  
15 this chapter. The notice must:  
16 (1) state the date when the election shall take place; and  
17 (2) describe generally the plans to be voted upon.  
18 (b) The text of the public question on the ballot must include a  
19 description of the plan proposed, including:  
20 (1) the number of members on the board;  
21 (2) the number of electoral or resident member districts, if any;  
22 (3) the number of at-large districts, if any;  
23 (4) a general description of the geographical boundaries of the  
24 districts, referring to civil boundaries where applicable or merely  
25 general descriptions, such as the north half or north part of a civil  
26 geographical district or the territory north of a geographical  
27 boundary; and

1 (5) other information sufficient to distinguish a plan from other  
2 plans.

3 If the text of the public question includes a description of the plan  
4 regarding how the current board is organized, as required by subsection  
5 (d), the plan must be identified as the existing plan.

6 (c) If only one (1) plan is proposed, the ballot shall be prepared so  
7 that voters who wish to vote on the plan must cast either an affirmative  
8 vote or a negative vote.

9 (d) If more than one (1) plan is proposed, the plan organizing the  
10 governing body must appear on the ballot as an option. The text of the  
11 public question must include a description of the existing plan that  
12 meets the criteria specified in subsection (b). The ballot must be  
13 prepared so that voters who wish to vote on the plans may vote for only  
14 one (1) plan.

15 (e) The text of the public question must be placed on the ballot in  
16 the form prescribed by IC 3-10-9-4.

17 (f) Subject to IC 3-12-1, the notice or ballot is not invalid if there  
18 has been a good faith effort to comply with this section.

19 SECTION 3. IC 20-23-8-26 IS ADDED TO THE INDIANA CODE  
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
21 1, 2026]: **Sec. 26. (a) Except as provided in subsection (b), a school  
22 corporation's elected or appointed governing body may not:**

- 23 (1) be converted to an appointed advisory board;  
24 (2) be converted to an appointed corporation; or  
25 (3) delegate the governing body's authority to an appointed  
26 advisory board or an appointed corporation.

27 (b) A school corporation's governing body may be converted to  
28 an appointed advisory board or an appointed corporation, or may  
29 delegate its authority to an appointed advisory board or appointed  
30 corporation, only by a ballot initiative as described in subsection  
31 (c).

32 (c) A school corporation seeking to convert the corporation's  
33 governing body under subsection (b) may file a petition with the  
34 state board. Upon approval by the state board, the county election  
35 board of the county in which the school corporation is located shall  
36 create the form of notice of the election and the ballot as described  
37 in section 17 of this chapter, to be voted on at the next general  
38 election.

39 (d) If the ballot initiative described in subsection (c) is approved  
40 by not less than two-thirds (2/3) of the voters, the school

1        **corporation's governing body may be converted.**

2        **(e) If a ballot initiative is approved as described under**  
3        **subsection (d), the legislative body of the municipality in which the**  
4        **school corporation is located must create a public engagement**  
5        **process to create the converted governing body.**

(Reference is to EHB 1423 as printed February 13, 2026.)