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## HOUSE BILL No. 1423

Proposed Changes to introduced printing by AM142306

### DIGEST OF PROPOSED AMENDMENT

Number of charters. Provides that, beginning March 31, 2026, and ending March 31, 2031, the total number of charters granted to charter schools located within the geographic boundaries of the Indianapolis public schools school corporation may not exceed the number of charters granted to charter schools operating within the geographic boundaries of the school corporation on March 31, 2026.

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-1.1-14.5 IS ADDED TO THE INDIANA  
2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE UPON PASSAGE]: Sec. 14.5. "Public education  
4 corporation" refers to the Indianapolis public education  
5 corporation established by IC 20-25.3-3-1.

6 SECTION 2. IC 6-1.1-17-21.5 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE UPON PASSAGE]: Sec. 21.5. After March 31, 2026,  
9 the public education corporation has all the powers and shall  
10 perform all the duties assigned to the school city (as defined in  
11 IC 20-25-2-12) under this chapter related to the fixing and  
12 reviewing of budgets, tax rates, and tax levies.

13 SECTION 3. IC 6-1.1-18.5-2, AS AMENDED BY P.L.68-2025,  
14 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 UPON PASSAGE]: Sec. 2. (a) As used in this section, "Indiana  
16 nonfarm personal income" means the estimate of total nonfarm  
17 personal income for Indiana in a calendar year as computed by the  
18 federal Bureau of Economic Analysis using any actual data for the

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1       calendar year and any estimated data determined appropriate by the  
 2       federal Bureau of Economic Analysis.

3       (b) Except as provided in subsections (c) and (e), for purposes of  
 4       determining a civil taxing unit's maximum permissible ad valorem  
 5       property tax levy for an ensuing calendar year, the civil taxing unit  
 6       shall use the maximum levy growth quotient determined in the last  
 7       STEP of the following STEPS:

8           STEP ONE: For each of the six (6) calendar years immediately  
 9       preceding the year in which a budget is adopted under  
 10      IC 6-1.1-17-5 for the ensuing calendar year, divide the Indiana  
 11      nonfarm personal income for the calendar year by the Indiana  
 12      nonfarm personal income for the calendar year immediately  
 13      preceding that calendar year, rounding to the nearest  
 14      one-thousandth (0.001).

15           STEP TWO: Determine the sum of the STEP ONE results.

16           STEP THREE: Divide the STEP TWO result by six (6),  
 17       rounding to the nearest one-thousandth (0.001).

18           STEP FOUR: Determine the lesser of the following:

- 19           (A) The STEP THREE quotient.
- 20           (B) One and six-hundredths (1.06).

21       (c) Except as provided in subsection (f), a school corporation, **or**,  
 22       **in the case of a school city (as defined in IC 20-25-2-12), the public**  
 23       **education corporation**, shall use for its operations fund maximum  
 24       levy calculation under IC 20-46-8-1 the maximum levy growth quotient  
 25       determined in the last STEP of the following STEPS:

26           STEP ONE: Determine for each school corporation, the average  
 27       annual growth in net assessed value using the three (3) calendar  
 28       years immediately preceding the year in which a budget is  
 29       adopted under IC 6-1.1-17-5 for the ensuing calendar year.

30           STEP TWO: Determine the greater of:

- 31           (A) zero (0); or
- 32           (B) the STEP ONE amount minus the sum of:
  - 33           (i) the maximum levy growth quotient determined  
 under subsection (b) minus one (1); plus
  - 34           (ii) two-hundredths (0.02).

36           STEP THREE: Determine the lesser of:

- 37           (A) the STEP TWO amount; or
- 38           (B) four-hundredths (0.04).

39           STEP FOUR: Determine the sum of:

- 40           (A) the STEP THREE amount; plus
- 41           (B) the maximum levy growth quotient determined under  
 subsection (b).



1                   STEP FIVE: Determine the greater of:  
2                   (A) the STEP FOUR amount; or  
3                   (B) the maximum levy growth quotient determined under  
4                   subsection (b).

5 (d) The budget agency shall provide the maximum levy growth  
6 quotient for the ensuing year to civil taxing units, school corporations,  
7 **the public education corporation (in the case of a school city (as**  
8 **defined in IC 20-25-2-12)), and the department of local government**  
9 **finance before July 1 of each year.**

18 STEP ONE: Determine the result of STEP FOUR of subsection  
19 (b), calculated as if this subsection was not in effect.

20 STEP TWO: Subtract one (1) from the STEP ONE result.

21                   STEP THREE: Multiply the STEP TWO result by eight-tenths  
22                   (0.8).

23 STEP FOUR: Add one (1) to the STEP THREE result.

24 STEP FIVE: Determine the lesser of:

25 (A) the STEP FOUR result; or  
26 (B) one and four-hundredths (1.04)

(f) This subsection applies only for purposes of determining the maximum levy growth quotient to be used in determining a school corporation's, **or, in the case of a school city (as defined in IC 20-25-2-12), the public education corporation's**, operations fund maximum levy in calendar years 2024, 2025, and 2026. For purposes of determining the maximum levy growth quotient in calendar years 2024, 2025, and 2026, instead of the result determined in the last STEP in subsection (c), the maximum levy growth quotient is determined in the last STEP of the following STEPS:

36 STEP ONE: Determine the result of STEP FIVE of subsection  
37 (c), calculated as if this subsection was not in effect.

38 STEP TWO: Subtract one (1) from the STEP ONE result.

39                   STEP THREE: Multiply the STEP TWO result by eight-tenths  
40                   (0.8).

41 STEP FOUR: Add one (1) to the STEP THREE result.

42 STEP FIVE: Determine the lesser of:

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1 (A) the STEP FOUR result; or  
2 (B) one and four-hundredths (1.04).

3 SECTION 4. IC 6-1.1-20-0.3 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE UPON PASSAGE]: **Sec. 0.3. (a) Subject to subsection**  
6 **(b), after March 31, 2026, a school city (as defined in**  
7 **IC 20-25-2-12) may not exercise the powers and duties under this**  
8 **chapter and instead the public education corporation assumes the**  
9 **powers and duties of the school city as set forth in IC 20-25-3-5.**

13 SECTION 5. IC 20-18-2-14.5 IS ADDED TO THE INDIANA  
14 CODE AS A NEW SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE UPON PASSAGE]: Sec. 14.5. "Public education  
16 corporation" refers to the Indianapolis public education  
17 corporation established by IC 20-25.3-3-1.

18 SECTION 6. IC 20-24-3-20 IS ADDED TO THE INDIANA  
19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
20 [EFFECTIVE UPON PASSAGE]: **Sec. 20. (a) Beginning April 1,**  
21 **2026, a charter may not be granted or renewed by an authorizer**  
22 **for a charter school located within the geographic boundaries of**  
23 **the school city (as defined in IC 20-25-2-12) except by one (1) of the**  
24 **following:**

(b) A charter school that was granted a charter before April 1, 2026, by an authorizer other than an authorizer listed in subsection (a) may continue operating with that authorizer until the term of the charter expires or is terminated, whichever occurs earlier. After the termination or expiration of the charter, a charter for a charter school described in subsection (a) may only be granted or renewed by an authorizer described in subsection (a).

[ (c) Beginning March 31, 2026, and ending March 31, 2031, the total number of charters granted to charter schools located within the geographic boundaries of the school city (as defined in IC 20-25-2-12) may not exceed the total number of charters granted to charter schools operating within the geographic boundaries of the school city on March 31, 2026. This subsection

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1 expires July 1, 2031.

2 1 SECTION 7. IC 20-25-3-0.5 IS ADDED TO THE INDIANA  
 3 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 4 [EFFECTIVE UPON PASSAGE]: Sec. 0.5. The board of  
 5 commissioners has all of the powers and duties established under  
 6 this article except for the powers and duties granted to the  
 7 Indianapolis public education corporation under IC 20-25.3.

8 SECTION 8. IC 20-25-4-23 IS ADDED TO THE INDIANA  
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10 [EFFECTIVE UPON PASSAGE]: Sec. 23. Notwithstanding any  
 11 other law, after March 31, 2026, the school city may not issue  
 12 bonds or otherwise incur indebtedness payable in whole or in part  
 13 from a pledge of property tax revenue, excise tax revenue, or local  
 14 income tax revenue.

15 SECTION 9. IC 20-25.3 IS ADDED TO THE INDIANA CODE  
 16 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE  
 17 UPON PASSAGE]:

18 **ARTICLE 25.3. INDIANAPOLIS PUBLIC EDUCATION  
 19 CORPORATION**

20 **Chapter 1. Scope of Authority**

21 Sec. 1. The Indianapolis public education corporation exists  
 22 and shall operate for the public purpose of establishing a unified  
 23 student transportation, school property, and school performance  
 24 system within the geographic boundaries of the school city that  
 25 maximizes the efficient use of taxpayer provided resources,  
 26 respects the decision making of individual public schools and the  
 27 school city, and creates the best conditions for student learning and  
 28 success.

29 Sec. 2. This article shall be liberally construed to effect the  
 30 purposes of this article. If any other law or rule is inconsistent with  
 31 this article, this article is controlling as to the administration and  
 32 management of school property, transportation, and school  
 33 performance within the geographic boundaries of the school city  
 34 undertaken under this article.

35 **Chapter 2. Definitions**

36 **Sec. 1. The definitions in:**

37 (1) this chapter; and

38 (2) except as provided in section 2 of this chapter,  
 39 IC 20-25-2;

40 apply throughout this article.

41 Sec. 2. "Board of school commissioners" refers to the board of  
 42 school commissioners established by IC 20-25-3-1.

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1                   **Sec. 3. "Corporation" refers to the Indianapolis public**  
 2                   **education corporation established by IC 20-25.3-3-1.**

3                   **Sec. 4. "Corporation board" refers to the Indianapolis public**  
 4                   **education corporation board established by IC 20-25.3-3-2.**

5                   **Sec. 5. "Mayor" refers to the mayor of a consolidated city.**

6                   **Sec. 6. "Participating school" means the following schools:**

7                   **(1) A school maintained by the school city.**

8                   **(2) The following that are located within the geographic**  
 9                   **boundaries of the school city:**

10                   **(A) A participating innovation network school.**

11                   **(B) A participating innovation network charter school.**

12                   **(C) A charter school.**

13                   **Sec. 7. "School property" means a building or real property**  
 14                   **that is:**

15                   **(1) leased or owned by the school city or a participating**  
 16                   **school; and**

17                   **(2) located within the geographic boundaries of the school**  
 18                   **city.**

19                   **Chapter 3. Indianapolis Public Education Corporation**

20                   **Sec. 1. There is established in a county containing a**  
 21                   **consolidated city for the public purposes set forth in this article a**  
 22                   **distinct municipal corporation to be known as the Indianapolis**  
 23                   **Public Education Corporation.**

24                   **Sec. 2. (a) The corporation is governed by the Indianapolis**  
 25                   **public education corporation board appointed under this section.**

26                   **(b) The corporation board is comprised of the following nine**  
 27                   **(9) members:**

28                   **(1) Three (3) members appointed by the mayor who are**  
 29                   **leaders of participating innovation network charter schools**  
 30                   **or charter schools located within the geographic boundaries**  
 31                   **of the school city.**

32                   **(2) Three (3) members appointed by the mayor who are**  
 33                   **members of the board of school commissioners.**

34                   **(3) Three (3) members appointed by the mayor who have:**

35                   **(A) expertise in management, capital planning, facilities,**  
 36                   **transportation, or logistics; or**

37                   **(B) experience in working with vulnerable student**  
 38                   **populations and communities.**

39                   **(c) All members of the corporation board must reside within**  
 40                   **the geographic boundaries of the school city.**

41                   **(d) The mayor shall appoint one (1) of the members of the**  
 42                   **corporation board as chairperson of the corporation board.**



1                   **Sec. 3. (a) The term of office of an appointed member of the**  
 2                   **corporation board is four (4) years. The member's term begins on**  
 3                   **July 1 after the appointment.**

4                   **(b) Each member holds office for the term of appointment and**  
 5                   **continues to serve after expiration of the appointment until a**  
 6                   **successor is appointed and qualified. A member is eligible for**  
 7                   **reappointment.**

8                   **(c) If there is a vacancy in the corporation board, the mayor**  
 9                   **shall fill the vacancy for the unexpired term.**

10                   **(d) A vacancy occurs if a member dies, resigns, changes**  
 11                   **residence of the county, or ceases to be a:**

12                   **(1) leader of a participating innovation network charter**  
 13                   **school or charter school located within the geographic**  
 14                   **boundaries of the school city; or**

15                   **(2) member of the board of commissioners.**

16                   **(e) A member of the corporation board serves at the pleasure**  
 17                   **of the mayor.**

18                   **Sec. 4. (a) A majority of the corporation board members**  
 19                   **constitutes a quorum for a meeting. The corporation board may**  
 20                   **act by an affirmative vote of a majority of the corporation board.**

21                   **(b) A vacancy in the membership of the corporation board**  
 22                   **does not impair the right of a quorum to exercise all rights and**  
 23                   **perform all duties of the corporation board.**

24                   **Sec. 5. Meetings of the members of the corporation board shall**  
 25                   **be held at the call of the chairperson. The members shall meet at**  
 26                   **least once every three (3) months to attend to the business of the**  
 27                   **corporation.**

28                   **Sec. 6. The members of the corporation board are not entitled**  
 29                   **to any salary, per diem, or other reimbursements or compensation**  
 30                   **to serve on the corporation board.**

31                   **Sec. 7. The corporation board shall keep the corporation**  
 32                   **board's documents in the office of the corporation or in an**  
 33                   **electronic format. The corporation board shall record the aye and**  
 34                   **nay vote on the final passage of any item of business and on any**  
 35                   **other item if two (2) corporation board members request that the**  
 36                   **votes be recorded by ayes and nays.**

37                   **Sec. 8. (a) The corporation board shall adopt rules of**  
 38                   **procedure for corporation board meetings. The corporation board**  
 39                   **may suspend the rules of procedure by unanimous vote of the**  
 40                   **members present at the meeting. The corporation board shall not**  
 41                   **suspend the rules of procedure beyond the duration of the meeting**  
 42                   **at which the suspension of rules occurs.**



(b) The corporation board may exercise the powers to supervise internal affairs common to municipal legislative and administrative bodies.

**Sec. 9. The corporation board shall exercise the executive and legislative powers of the corporation.**

**Sec. 10. (a) The corporation board shall appoint an individual recommended by the mayor as the executive director of the corporation.**

**(b) The executive director:**

**(1) must reside within the geographic boundaries of the school city;**

**(2) serves at the pleasure of the corporation board; and**

**(3) shall do the following:**

**(A) Administer, manage, and direct the affairs and activities of the corporation and any employees of the corporation in accordance with the policies and under the control and direction of the members of the corporation board.**

**(B) Approve all allowable expenses of the corporation or of any employee or consultant, and expenses incidental to the operation of the corporation.**

**(C) Perform other duties as may be directed by the members of the corporation board in carrying out the purposes of this article.**

**(c) The corporation board shall set the salaries of the executive director and any employees of the corporation.**

Sec. 11. (a) Notwithstanding section 3 of this chapter, the following applies to the members initially appointed to the corporation board:

**(1) The mayor shall appoint members to the corporation board not later than June 1, 2026.**

**(2) The term of each member begins on the date that the member is appointed under subdivision (1).**

**(3) The terms of the members are as follows:**

(A) One (1) member appointed under section 2(b)(1), 2(b)(2), and 2(b)(3) of this chapter shall each serve until July 1, 2028.

**(B) One (1) member:**

(i) appointed under section 2(b)(1), 2(b)(2), and 2(b)(3) of this chapter; and

(ii) who is not a member described in clause (A) or (C);

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**shall each serve until July 1, 2029.**

**(C) One (1) member:**

(i) appointed under section 2(b)(1), 2(b)(2), and 2(b)(3) of this chapter; and

(ii) who is not a member described in clause (A) or (B);

**shall each serve until July 1, 2030.**

**(b) This section expires January 1, 3031.**

## **Chapter 4. General Duties and Powers**

**Sec. 1. The corporation, in its corporate name, may do the following:**

**(1) Sue and be sued in a court of competent jurisdiction.**

## **(2) Enter into contracts.**

(3) Acquire and dispose of real, personal, and mixed property by deed, purchase, gift, grant, devise, lease, condemnation, or otherwise.

**(4) Make and adopt appropriate regulations, orders, rules, and resolutions.**

**(5) Do all things reasonable or necessary to carry out the work and perform the corporation's duties under this chapter.**

**Sec. 2. In carrying out the purpose of the corporation, the corporation board is granted all powers necessary or appropriate to do the following:**

**(1) Control the management and operation of school property**

(2) Establish a unified transportation plan and lead and oversee the provision of transportation of all students to and from participating schools within the geographic boundaries of the school city.

(3) Develop and implement a single school performance framework described in section 3 of this chapter that applies to all participating schools.

(4) Establish and manage a unified enrollment system applicable to all participating school students.

(5) Ensure that, to the extent possible, school property is provided and made available to all participating schools on an equitable basis.

**(6) Develop and implement a formula that provides for the fair and equitable distribution of property taxes and other funds to the school city and participating schools.**

(7) Track qualitative and quantitative data to monitor funds to the school city and participating schools.

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1           outcomes and publicly report data in a manner prescribed  
2           by the mayor.

3           **(8) Make, execute, and enforce contracts and all other**  
4           **instruments necessary, convenient, or desirable for the**  
5           **purposes of the corporation, including entering into a**  
6           **contract with, as applicable, the school city and each**  
7           **participating school regarding:**

8           **(A) the management and operation of school property;**  
9           **(B) provision of transportation of all students to and**  
10           **from participating schools within the geographic**  
11           **boundaries of the school city; and**  
12           **(C) any other matters the corporation board determines**  
13           **is necessary to carry out the purposes of the**  
14           **corporation.**

15           **(9) Acquire, construct, erect, maintain, hold, and contract for**  
16           **construction, erection, or maintenance of real estate, real**  
17           **estate improvements, or an interest in real estate or real**  
18           **estate improvements, as the corporation board considers**  
19           **necessary for school purposes, including buildings, parts of**  
20           **buildings, additions to buildings, rooms, gymnasiums,**  
21           **auditoriums, playgrounds, playing and athletic fields,**  
22           **facilities for physical training, buildings for administrative,**  
23           **office, warehouse, repair activities, or housing school owned**  
24           **buses, landscaping, walks, drives, parking areas, roadways,**  
25           **easements and facilities for power, sewer, water, roadway,**  
26           **access, storm and surface water, drinking water, gas,**  
27           **electricity, other utilities and similar purposes, by purchase,**  
28           **either outright for cash (or under conditional sales or**  
29           **purchase money contracts providing for a retention of a**  
30           **security interest by the seller until payment is made or by**  
31           **notes where the contract, security retention, or note is**  
32           **permitted by applicable law), by exchange, by gift, by devise,**  
33           **by eminent domain, or by lease with or without option to**  
34           **purchase.**

35           **(10) Repair, remodel, remove, or demolish, or to contract for**  
36           **the repair, remodeling, removal, or demolition of the real**  
37           **estate, real estate improvements, or interest in the real estate**  
38           **or real estate improvements that the corporation owns, as**  
39           **the corporation board considers necessary for school**  
40           **purposes.**

41           **(11) Acquire personal property or an interest in personal**  
42           **property as the corporation board considers necessary for**



1 school purposes, including buses, motor vehicles, equipment,  
 2 apparatus, and appliances, either by cash purchase or under  
 3 conditional sales or purchase money contracts providing for  
 4 a security interest by the seller until payment is made or by  
 5 notes where the contract, security, retention, or note is  
 6 permitted by applicable law, by gift, by devise, by loan, or by  
 7 lease with or without option to purchase and to repair,  
 8 remodel, remove, relocate, and demolish the personal  
 9 property. All purchases and contracts specified under the  
 10 powers authorized under subdivisions (9) and (10) and this  
 11 subdivision are subject solely to applicable law relating to  
 12 purchases and contracting by municipal corporations in  
 13 general and to the supervisory control of state agencies as  
 14 provided in section 8 of this chapter.

15 (12) To sell or exchange real or personal property or interest  
 16 in real or personal property that, in the opinion of the  
 17 corporation board, is not necessary for school purposes to  
 18 demolish or otherwise dispose of the property if, in the  
 19 opinion of the corporation board, the property is not  
 20 necessary for school purposes and is worthless, and to pay  
 21 the expenses for the demolition or disposition.

22 (13) Contract with or employ staff to execute the  
 23 corporation's duties.

24 (14) Fix and pay the salaries of the executive director and  
 25 any employees of the corporation.

26 (15) Maintain an office or offices at a place or places within  
 27 the geographic boundaries of the school city as the  
 28 corporation board may designate.

29 (16) To make budgets, to appropriate funds, and to disburse  
 30 the money, as applicable, of the corporation in accordance  
 31 with the formula established under subdivision (6). To  
 32 borrow money against current tax collections and otherwise  
 33 to borrow money, in accordance with IC 20-48-1.

34 (17) Procure insurance against any loss in connection with its  
 35 property and other assets, including loans and loan notes in  
 36 amounts and from insurers as the corporation board may  
 37 consider advisable.

38 (18) To make all applications, to enter into all contracts, and  
 39 to sign all documents necessary for the receipt of aid, money,  
 40 or property from the state, the federal government, or from  
 41 any other source.

42 (19) To defend a member of the corporation board or any

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1 employee of the corporation in any suit arising out of the  
2 performance of the member's or employee's duties for or  
3 employment with, the corporation, if the corporation board  
4 by resolution determined that the action was taken in good  
5 faith. To save any member or employee harmless from any  
6 liability, cost, or damage in connection with the performance,  
7 including the payment of legal fees, except where the  
8 liability, cost, or damage is predicated on or arises out of the  
9 bad faith of the member or employee, or is a claim or  
10 judgment based on the member's or employee's malfeasance  
11 as a member or in employment.

18 (21) Regularly conduct assessments of school property.

(22) To exercise any other power and make any expenditure in carrying out the general powers and purposes provided in this article or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out purposes of the corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter.

27 Sec. 3. (a) The corporation board shall:

28 (1) create a single school performance framework that  
29 applies to all participating schools; and  
30 (2) implement the framework not later than the 2027-2028  
31 school year.

**(b) The school performance framework must:**

33 (1) set clear expectation for school performance;

34 (2) be based on multiple measures and metrics, including:

35 (A) academic performance measures, including the  
36 performance assessment results under IC 20-31-8;  
37 (B) student assessment outcomes;  
38 (C) student discipline practices;  
39 (D) student enrollment;  
40 (E) physical condition of school property, including  
41 deferred maintenance;  
42 (F) short and long term financial health measures;

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**(G) organizational health and governance measures; and**

**(H) any additional measures relevant to student success as determined by the corporation board; and**

(3) include a requirement to close chronically low performing participating schools.

Sec. 4. The corporation board may establish an advisory committee to assist the corporation board in creating and implementing the school performance framework described in section 3 of this chapter.

**Sec. 5. The corporation board may not implement a unified transportation plan described in section 2(2) of this chapter unless the corporation board submits the plan to the legislative council in an electronic format under IC 5-14-6 at least one (1) calendar year before the date the plan is implemented.**

## **Sec. 6. The school city and all participating schools:**

- (1) are required to provide transportation to the students of the school city or participating schools through the unified transportation plan established by the corporation board;
- (2) shall enter into contracts with the corporation board; and
- (3) shall comply with any applicable regulations, orders, rules, and resolutions adopted by the corporation board.

**Sec. 7. The corporation is subject to required audits by the state board of accounts under IC 5-11-1-9.**

**Sec. 8. All powers delegated to the corporation under this chapter are subject to all applicable laws subjecting a school corporation to regulation by a state agency, including the secretary of education, state board of accounts, state police department, fire prevention and building safety commission, department of local government finance, environmental rules board, state school bus committee, Indiana department of health, and any local governmental agency to which the state has been delegated a specific authority in matters other than educational matters and other than finance, including plan commissions, zoning boards, and boards concerned with health and safety.**

**Sec. 9. Nothing in this article may be construed to impair a contract that was entered into before the effective date of this article. However, after the effective date of this article, the school city or a participating school may not enter into, renew, or extend a contract that is not in compliance with:**

(1) this article;

(2) a contract entered into by the school city or participating

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**school under this article; or**  
**(3) any regulation, order, rule, or resolution adopted by the**  
**corporation board.**

## **Chapter 5. Financial and Administrative Powers and Duties**

**Sec. 1. Beginning July 1, 2026, the corporation is liable for and must pay and discharge all of the outstanding indebtedness, liabilities, and obligations of the school city payable from a pledge of property tax revenue according to the existing terms and repayment schedule. The rights of the bondholders remain unchanged, although the liabilities of the school city become the responsibility of the corporation.**

**Sec. 2. After March 31, 2026, the school city may not take any action under the procedures set forth in IC 5-1 and instead the corporation shall assume the powers and duties of the school city under IC 5-1.**

**Sec. 3. After March 31, 2026, the corporation has all the powers and shall perform all the duties assigned to the school city under IC 6-1.1-17 related to the fixing and reviewing of budgets, tax rates, and tax levies. The school city shall provide records and information as necessary for the corporation to carry out its duties.**

**Sec. 4. (a) Except as provided in subsections (b) and (c), after March 31, 2026, the school city may not take any action under the procedures set forth in IC 6-1.1-20 and instead the corporation shall assume the powers and duties of the school city under IC 6-1.1-20 in the territory of the school city.**

(b) Notwithstanding subsection (a), property tax revenue received from a referendum debt service tax levy that is approved by the voters after March 31, 2026, shall be distributed to the school city in the manner provided under IC 6-1.1-20.

(c) A referendum debt service tax levy that is approved by the voters before April 1, 2026, shall continue to be imposed after March 31, 2026, and the school city shall continue to use the revenue from the referendum debt service levy to pay debt service on the same terms, for the same period of time, and for the same purposes for which it was originally approved by the voters.

**Sec. 5. (a)** Except as provided in subsections (b) and (c), after March 31, 2026, the school city may not take any action under the procedures set forth in IC 20-46-1 and instead the corporation shall assume the powers and duties of the school city under IC 20-46-1 in the territory of the school city.

**(b) Notwithstanding subsection (a), property tax revenue received from an operating referendum tax levy that is approved**

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1 by the voters after March 31, 2026, shall be distributed to the  
 2 school city and applicable charter schools in the manner provided  
 3 under IC 20-46-1.

4 (c) An operating referendum tax levy that is approved by the  
 5 voters before April 1, 2026, shall continue to be imposed after  
 6 March 31, 2026, through the end of the term and the school city  
 7 shall continue to use the revenue from the operating referendum  
 8 tax levy for the same purposes for which it was originally approved  
 9 by the voters through the end of the term of the referendum.

10 Sec. 6. Beginning July 1, 2026, the corporation shall assume  
 11 the powers and duties of the school city under IC 20-46-7, including  
 12 control and management of the corresponding fund created under  
 13 IC 20-40-9. Beginning with the January 1, 2027, assessment date,  
 14 and for each assessment date thereafter, the corporation shall  
 15 impose an annual property tax levy in the territory of the school  
 16 city. Property tax revenue received from the tax levy shall be used  
 17 to pay outstanding debts and obligations.

18 Sec. 7. (a) Except as provided in subsection (b), beginning July  
 19 1, 2026, the corporation shall assume the powers and duties of the  
 20 school city to impose a levy under IC 20-46-8. Beginning with the  
 21 January 1, 2027, assessment date, and for each assessment date  
 22 thereafter, the corporation shall impose an annual property tax  
 23 levy in the territory of the school city.

24 (b) Notwithstanding subsection (a), property tax revenue  
 25 received from a tax levy imposed under IC 20-46-8 for assessment  
 26 dates after December 31, 2026, shall be distributed to the school  
 27 city and applicable charter schools in the manner provided under  
 28 IC 20-46-8.

29 Sec. 8. (a) Except as provided in subsection (b), after March  
 30 31, 2026, the school city may not take any action under the  
 31 procedures set forth in IC 20-46-9 and instead the corporation  
 32 shall assume the powers and duties of the school city under  
 33 IC 20-46-9 in the territory of the school city.

34 (b) Notwithstanding subsection (a), property tax revenue  
 35 received from a school safety referendum tax levy that is approved  
 36 by the voters after March 31, 2026, shall be distributed to the  
 37 school city and applicable charter schools in the manner provided  
 38 under IC 20-46-9.

39 SECTION 10. IC 20-26-7-47, AS AMENDED BY P.L.36-2024,  
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 UPON PASSAGE]: Sec. 47. (a) The following definitions apply  
 42 throughout this section:

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(1) "Covered school building" has the meaning set forth in IC 20-26-7.1-2.1.

(2) "Current school year" refers to a year in which the governing body is required to conduct a review of school building usage under subsection (c).

(3) "Enrollment" refers to the following:

(A) Except as provided in clause (B), students counted in ADM (as defined in IC 20-43-1-6) in the first count date for a school year fixed under IC 20-43-4-3.

(B) With regard to a school corporation, students counted in a school corporation's fall count of ADM minus all students counted in the fall count of ADM who are enrolled in eligible schools that:

- (i) have entered into an agreement with the school corporation to participate as a participating innovation network charter school under IC 20-25.7-5; and
- (ii) are included in the school corporation's fall ADM count.

(4) "Interested person" has the meaning set forth in IC 20-26-7.1-2.2.

(b) This section:

(1) applies to a school corporation only if:

(1) **(A)** the total student enrollment for in-person instruction in the school corporation in the current school year is at least ten percent (10%) less than the student enrollment for in-person instruction in the school corporation in a school year that precedes the current school year by five (5); and  
**(2) (B)** the school corporation in the current school year has more than one (1) school building serving the same grade level as the school building subject to closure under this section; **and**

(2) does not apply to a school city (as defined in IC 20-25-2-12).

(c) Each school year, the governing body of a school corporation shall review the usage of school buildings used by the school corporation to determine whether any school building should be closed for the ensuing school year and subsequent school years.

(d) A school corporation shall close a school building for the ensuing school year (and subsequent school years) if:

(1) at any time the school building had been used for classroom instruction;

(2) in the current school year and the two (2) school years

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1 immediately preceding the current school year the school  
 2 building was underutilized for classroom instruction purposes or  
 3 other allowable uses specified by this section;

4 (3) as of the end of the school year before the school building is  
 5 required to be closed under this section, the school corporation  
 6 was not subject to a transitional plan adopted by the governing  
 7 body and approved by the department to use the school building  
 8 for an allowable use not later than the next school year after the  
 9 school building is otherwise required to be closed under this  
 10 section;

11 (4) in the case of a school building that was used in any part in  
 12 the current school year for instructional purposes, the school  
 13 corporation has another school building:

14 (A) with sufficient capacity to take the students using the  
 15 school building being considered for closure; and

16 (B) that does not require more than twenty (20) minutes of  
 17 travel time by car or bus from the school building being  
 18 considered for closure; and

19 (5) the school building is not a school building described in  
 20 IC 20-26-7.1-1, IC 20-26-7.1-3(b), IC 20-26-7.1-3(c), or  
 21 IC 20-26-7.1-3(d).

22 (e) For purposes of this section, a school building is underutilized  
 23 in a school year if the school building is not used for any of the  
 24 following allowable uses:

25 (1) The number of full-time equivalent students enrolled for  
 26 in-person instruction in the school building on instructional days  
 27 (as determined under IC 20-30-2) for instructional purposes,  
 28 averaged over the current school year and the two (2) school  
 29 years immediately preceding the current school year, is at least  
 30 fifty percent (50%) of:

31 (A) the known classroom design capacity of the school  
 32 building; or

33 (B) if the design capacity is not known, the average  
 34 maximum full-time equivalent enrollment in any of the last  
 35 twenty-five (25) years, as validated by records created or  
 36 maintained by the department.

37 (2) The school corporation demonstrates through facts included  
 38 in a resolution that the school building is being used and that it  
 39 is financially prudent to continue to use the school building,  
 40 considering all community resources, for a distinct student  
 41 population that reasonably cannot be served through integration  
 42 with the general school population, such as students attending an



1 alternative education program (as defined in IC 20-30-8-1).  
 2 However, to be an allowable use under this subdivision, the  
 3 average number of full-time equivalent students using the school  
 4 building in a school year for instructional purposes must be at  
 5 least thirty percent (30%) of:

6 (A) the known classroom design capacity of the school  
 7 building; or  
 8 (B) if the design capacity is not known, the average  
 9 maximum full-time equivalent enrollment in any of the last  
 10 twenty-five (25) years, as validated by records created or  
 11 maintained by the department; and

12 (if multiple school buildings are used for the same purposes)  
 13 combining the student populations into fewer school buildings  
 14 is not reasonably feasible.

15 (3) The school corporation demonstrates through facts included  
 16 in a resolution that the school building is being used and that it  
 17 is financially prudent to continue to use the school building,  
 18 considering all community resources, for administrative or other  
 19 school offices. However, to be an allowable use under this  
 20 subdivision, at least fifty percent (50%) of the square footage of  
 21 the school building must be used for offices, the personnel  
 22 headquartered in the school building must consistently use the  
 23 space for office purposes, and the occupancy cost of using the  
 24 school building cannot be more than comparable office space  
 25 that is available in the school district.

26 (4) The school corporation demonstrates through facts included  
 27 in a resolution that the school building is being used and that it  
 28 is financially prudent to continue to use the school building,  
 29 considering all community resources, for storage. However, to be  
 30 an allowable use under this subdivision, at least fifty percent  
 31 (50%) of the square footage of the school building must be used  
 32 for storage, on average the storage space must be used to  
 33 capacity, and the cost of using the school building for storage  
 34 must be less than comparable storage space that is available in  
 35 the school district.

36 (5) The school corporation demonstrates through facts included  
 37 in a resolution that the school building is being used and that it  
 38 is financially prudent to continue to use the school building,  
 39 considering all community resources, for a combination of office  
 40 space and storage. However, to be an allowable use under this  
 41 subdivision, at least fifty percent (50%) of the square footage of  
 42 the school building must be used for a combination of office



1 space and storage and:

2 (A) the personnel headquartered in the school building must  
 3 consistently use the office space for office purposes, and the  
 4 occupancy cost of using the office space, calculated using  
 5 the costs of operating the school building, cannot be more  
 6 than comparable office space that is available in the school  
 7 district; and  
 8 (B) on average, the storage space must be used to capacity  
 9 and the cost of using the school building for storage must be  
 10 less than comparable storage space that is available in the  
 11 school district.

12 (f) Closure of a school building that is:

13 (1) owned by the school corporation or any other entity that is  
 14 related in any way to, or created by, the school corporation or the  
 15 governing body; or  
 16 (2) jointly owned in the same manner by two (2) or more school  
 17 corporations;

18 shall be carried out in conformity with IC 20-26-7.1.

19 (g) Before filing a petition under subsection (h), a charter school  
 20 or state educational institution that is interested in a school  
 21 corporation's school building must give written notice to the school  
 22 corporation to determine whether an agreement can be reached  
 23 regarding the school corporation making the school building available  
 24 for lease or purchase under IC 20-26-7.1.

25 (h) If an agreement is not reached within forty-five (45) days after  
 26 the date that the school corporation receives the notice under  
 27 subsection (g), the charter school or state educational institution may  
 28 petition the department to initiate or the department on its own may  
 29 initiate a proceeding for a determination as to whether a school  
 30 building meets the criteria for closure under this section or a covered  
 31 school building that is no longer used for classroom instruction by a  
 32 school corporation should be made available under IC 20-26-7.1. If a  
 33 charter school or state educational institution petitions the department  
 34 under this subsection, the charter school or state educational institution  
 35 must provide a copy of the petition to the applicable school  
 36 corporation.

37 (i) An interested person that is not otherwise a party to the  
 38 proceeding may intervene in the proceeding under subsection (h) as a  
 39 party. The school corporation has the burden of going forward with the  
 40 evidence and the burden of proof to demonstrate that the school  
 41 building does not meet the criteria for closure or the covered school  
 42 building is not required to be made available under IC 20-26-7.1.



5 (A) is not contesting the petition; or

(B) is contesting the petition and states the facts upon which the school corporation relies in contesting the petition; and

8 (2) provide a copy of the response to the petitioner and any  
9 intervening party.

19 (k) If the school corporation:

(1) files a response that the school corporation is not contesting the petition; or

12 the petition, or  
13 (2) fails to submit a timely response under subsection (i);

(2) fails to submit a timely response under subsection (j), the department shall issue an order granting the petition. A petition and any response or reply are public documents.

any response or reply are public documents.

(l) If a school corporation contests a petition under subsection (j), a party to the proceeding has not more than sixty (60) days after the date that the school corporation files a response under subsection (j) to submit a reply to the school corporation's response.

(1) petitioner and any intervening party have submitted a reply under subsection (1); or

(n) A school corporation or another party to the proceeding may file with the state board a petition requesting review of the department's determination. Upon receipt of a petition under this subsection, the state board shall review the department's determination. An appeal to the state board shall be subject to the procedure described in IC 20-26-11-15(b).

39 (1) "Current school year" refers to a year in which the governing  
40 body is required to conduct a review of school building usage  
41 under section 47(c) of this chapter.

42 (2) "Enrollment" has the meaning set forth in section 47(a)(3) of

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this chapter.

(b) This section:

(1) applies to a school corporation only if:

(1) (A) the total student enrollment for in-person instruction in the school corporation in the current school year is at least ten percent (10%) less than the student enrollment for in-person instruction in the school corporation in a school year that precedes the current school year by five (5); and (2) (B) the school corporation in the current school year has more than one (1) school building serving the same grade level as a school building subject to closure under section 47 of this chapter; and

(2) does not apply to a school city (as defined in IC 20-25-2-12).

(c) Each school corporation shall annually report to the department, in the form and on the schedule specified by the department, the following information:

(1) A listing of all buildings owned or leased by the school corporation that were originally designed as a school building.

(2) The following information for each building listed in subdivision (1):

(A) Designed occupancy, regardless of current use.

(B) Current use (and percentage of use) for classroom instruction, as special use classrooms, as office space, or as storage or alternatively the building's status as transitioning from one (1) use or combination of uses to another.

(C) The following information:

(i) Current average full-time equivalent student enrollment for in-person instruction in the school building on instructional days (as determined under JC 20-30-2) in a school year.

(ii) Percentage of instructional use.

(iii) Percentage of institutional use.

(D) Self-evaluation of whether the building qualifies for closure under section 47 of this chapter or the school board otherwise intends to close the building and the date closure will occur (if applicable).

38 SECTION 12. IC 20-26-7.1-1, AS AMENDED BY P.L.68-2025,  
39 SECTION 209, IS AMENDED TO READ AS FOLLOWS  
40 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) For purposes of this  
41 section, "charter school" does not include a virtual charter school or an  
42 adult high school.

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1 (b) This chapter does not apply to the following:

2 (1) A school building that since July 1, 2011, is leased or loaned  
 3 by the school corporation that owns the school building to  
 4 another entity, if the entity is not a building corporation or other  
 5 entity that is related in any way to, or created by, the school  
 6 corporation or the governing body.

7 (2) A school corporation to which all of the following apply:

8 (A) The county auditor distributes revenue after May 10,  
 9 2023, as required under IC 20-46-1-21 or IC 20-46-1-22 to  
 10 each eligible charter school.

11 (B) If the school corporation listed in IC 20-46-9-22  
 12 receives revenue from a school safety referendum tax levy  
 13 under IC 20-46-9, the county auditor distributes revenue  
 14 after May 10, 2023, as required under IC 20-46-9-22 to  
 15 each charter school described in IC 20-46-9-22(b).

16 The above subdivisions are intended to apply retroactively. No  
 17 referendums or distributed revenue prior to May 10, 2023, are  
 18 effective to provide exemption from this chapter.

19 (3) A school corporation to which all of the following apply:

20 (A) The school corporation approves a resolution after May  
 21 10, 2023, to impose an operating referendum tax levy under  
 22 IC 20-46-1 after May 10, 2023, that includes sharing the  
 23 revenue from the referendum tax levy in the amounts  
 24 described in clause (B) with each charter school that:

25 (i) a student who resides within the attendance area of  
 26 the school corporation attends; and  
 27 (ii) elects to participate in the referendum.

28 The above subdivisions are intended to apply retroactively. No  
 29 resolutions, referendums, or distributed revenue prior to May 10,  
 30 2023, are effective to provide exemption from this chapter.

31 (B) The amount of referendum tax levy revenue that the  
 32 school corporation is required to share with each charter  
 33 school under the resolution described in clause (A) is equal  
 34 to the amount determined applying the applicable formula  
 35 under IC 20-46-1-21 or IC 20-46-1-22.

36 (C) The referendum tax levy described in clause (A) is  
 37 approved by the voters.

38 (D) The school corporation distributes the amounts  
 39 described in clause (B) to each charter school described in  
 40 clause (A).

41 (E) If the school corporation receives revenue from a school  
 42 safety referendum tax levy under IC 20-46-9, the school



corporation shares the revenue from the school safety referendum tax levy with each charter school that:

- (i) a student who resides within the attendance area of the school corporation attends; and
- (ii) elects to participate in the referendum; in an amount equal to the amount determined applying the formula under IC 20-46-9-22(d).

**(4) A school city (as defined in IC 20-25-2-12).**

15 SECTION 13. IC 20-40-9-4, AS ADDED BY P.L.2-2006,  
16 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a)** The governing body of  
18 each school corporation shall establish a debt service fund.

24 SECTION 14. IC 20-46-1-0.5 IS ADDED TO THE INDIANA  
25 CODE AS A NEW SECTION TO READ AS FOLLOWS  
26 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. (a) Subject to subsection**  
27 **(b), after March 31, 2026, a school city (as defined in**  
28 **IC 20-25-2-12) may not exercise the powers and duties under this**  
29 **chapter and instead the public education corporation assumes the**  
30 **powers and duties of the school city as set forth in IC 20-25-3-5.1**

31       1   (b) Notwithstanding subsection (a), the county auditor shall:

32           (1) determine the amounts of revenue to be distributed to the

33           school city and any charter schools as provided in section 21

34           or 22 of this chapter, as applicable; and

35           (2) distribute revenue collected from a levy imposed under

36           this chapter to the school city and any charter schools as

37           provided in section 21 or 22 of this chapter, as applicable.

42 (1) a school city (as defined in IC 20-25-2-12) may not impose

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1 the property tax levy or otherwise exercise the powers and  
 2 duties under this chapter; and

3 (2) the public education corporation shall impose the annual  
 4 property tax levy under this chapter in the territory of the  
 5 school city and assumes the powers and duties of the school  
 6 city under this chapter as set forth in IC 20-25.3-5, including  
 7 making debt service payments.

8 SECTION 16. IC 20-46-8-0.5 IS ADDED TO THE INDIANA  
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10 [EFFECTIVE UPON PASSAGE]: Sec. 0.5. (a) Subject to subsection  
 11 (b), beginning with property taxes first due and payable after  
 12 December 31, 2027:

13 (1) a school city (as defined in IC 20-25-2-12) may not impose  
 14 the property tax levy or otherwise exercise the powers and  
 15 duties under this chapter; and

16 (2) the public education corporation shall impose the annual  
 17 property tax levy under this chapter in the territory of the  
 18 school city and assumes the powers and duties of the school  
 19 city under this chapter as set forth in IC 20-25.3-5.

20 (b) Notwithstanding subsection (a), the county auditor shall:

21 (1) determine the amounts of revenue to be distributed to the  
 22 school city and any charter schools as provided in section  
 23 11.2 or 12 of this chapter, as applicable; and

24 (2) distribute revenue collected from a levy imposed under  
 25 this chapter to the school city and any charter schools as  
 26 provided in section 11.2 or 12 of this chapter, as applicable.

27 SECTION 17. IC 20-46-9-0.5 IS ADDED TO THE INDIANA  
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 29 [EFFECTIVE UPON PASSAGE]: Sec. 0.5. (a) Subject to subsection  
 30 (b), after March 31, 2026, a school city (as defined in  
 31 IC 20-25-2-12) may not exercise the powers and duties under this  
 32 chapter and instead, the public education corporation assumes the  
 33 powers and duties of the school city as set forth in IC 20-25.3-5.<sup>1</sup>

34 (b) Notwithstanding subsection (a), the county auditor shall:

35 (1) determine the amounts of revenue to be distributed to the  
 36 school city and any charter schools as provided in this  
 37 chapter; and

38 (2) distribute revenue collected from a levy imposed under  
 39 this chapter to the school city and any charter schools as  
 40 provided in this chapter.

41 SECTION 18. IC 20-48-3-0.5 IS ADDED TO THE INDIANA  
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS

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1 [EFFECTIVE UPON PASSAGE]: Sec. 0.5. After March 31, 2026, a  
2 school city may not exercise the powers and duties under this  
3 article and instead the public education corporation assumes the  
4 powers, duties, and responsibilities of the school city under this  
5 article as set forth in IC 20-25.3.

6 SECTION 19. An emergency is declared for this act.[1](#)  
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