
HOUSE BILL No. 1423

AM142330 has been incorporated into January 30, 2026 printing.

Synopsis: Indianapolis public education corporation.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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HOUSE BILL No. 1423

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 5-13-6-3, AS AMENDED BY P.L.166-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 3. (a) All taxes collected by the county
4 treasurer shall be deposited as one (1) fund in the several depositories
5 selected for the deposit of county funds and, except as provided in
6 subsection (b), remain in the depositories until distributed at the
7 following semiannual distribution made by the county auditor.
8 (b) Every county treasurer who, by virtue of the treasurer's office,
9 is the collector of any taxes for any political subdivision wholly or
10 partly within the county shall, not later than thirty (30) days after
11 receipt of a written request for funds filed with the treasurer by a proper
12 officer of any political subdivision within the county, provide to the
13 county auditor the amount available for distribution, as certified for
14 each semiannual distribution under IC 6-1.1-27-2. The county auditor
15 shall advance to that political subdivision a portion of the taxes
16 collected before the semiannual distribution. The amount advanced
17 may not exceed the lesser of:

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- 1 (1) ninety-five percent (95%) of the total amount collected at the
- 2 time of the advance; or
- 3 (2) ninety-five percent (95%) of the amount to be distributed at
- 4 the semiannual distribution.

5 (c) Upon notice from the county treasurer of the amount to be
 6 advanced, the county auditor shall draw a warrant upon the county
 7 treasurer for the amount. The amount of the advance must be available
 8 immediately for the use of the political subdivision.

9 (d) At the semiannual distribution all the advances made to any
 10 political subdivision under subsection (b) shall be deducted from the
 11 total amount due any political subdivision as shown by the distribution.

12 (e) If a county auditor fails to make a distribution of tax collections
 13 by the deadline for distribution under subsection (b), a political
 14 subdivision that was to receive a distribution may recover interest on
 15 the undistributed tax collections under IC 6-1.1-27-1.

16 **(f) Subject to this section, the Indianapolis public education**
 17 **corporation board established by IC 20-25.3-3-2 may file with the**
 18 **county treasurer a written request under this section for an**
 19 **advance of the funds certified for the first semiannual distribution**
 20 **in 2026 to be distributed to the corporation board under**
 21 **IC 20-46-8-11.2(j). The corporation board shall deposit money**
 22 **advanced by the county auditor in the public education**
 23 **corporation operations fund created by IC 20-25.3-6-1. This**
 24 **subsection expires July 1, 2027.**

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

30 SECTION 3. IC 6-1.1-17-20, AS AMENDED BY P.L.230-2025,
 31 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 UPON PASSAGE]: Sec. 20. (a) This section:

33 (1) applies to each governing body of a taxing unit that is not
 34 comprised of a majority of officials who are elected to serve on
 35 the governing body; **and**

36 (2) **does not apply to the public education corporation.**

37 For purposes of this section, an individual who qualifies to be
 38 appointed to a governing body or serves on a governing body because
 39 of the individual's status as an elected official of another taxing unit
 40 shall be treated as an official who was not elected to serve on the
 41 governing body.

42 (b) As used in this section, "taxing unit" has the meaning set forth

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1 in IC 6-1.1-1-21, except that the term does not include a public library
 2 or an entity whose tax levies are subject to review and modification by
 3 a city-county legislative body under IC 36-3-6-9.

4 (c) If:

5 (1) the assessed valuation of a taxing unit is entirely contained
 6 within a city or town; or

7 (2) the assessed valuation of a taxing unit is not entirely
 8 contained within a city or town but:

9 (A) the taxing unit was originally established by the city or
 10 town; or

11 (B) the majority of the individuals serving on the governing
 12 body of the taxing unit are appointed by the city or town;

13 the governing body shall submit its proposed budget and property tax
 14 levy to the city or town fiscal body. The proposed budget and levy shall
 15 be submitted to the city or town fiscal body in the manner prescribed
 16 by the department of local government finance before September 2 of
 17 a year.

18 (d) If subsection (c) does not apply, the governing body of the
 19 taxing unit shall submit its proposed budget and property tax levy to the
 20 county fiscal body in the county where the taxing unit has the most
 21 assessed valuation. The proposed budget and levy shall be submitted
 22 to the county fiscal body in the manner prescribed by the department
 23 of local government finance before September 2 of a year.

24 (e) The fiscal body of the city, town, or county (whichever applies)
 25 shall review each budget and proposed tax levy and adopt a final
 26 budget and tax levy for the taxing unit. The fiscal body may reduce or
 27 modify but not increase the proposed budget or tax levy.

28 (f) If a taxing unit fails to file the information required in
 29 subsection (c) or (d), whichever applies, with the appropriate fiscal
 30 body by the time prescribed by this section, when calculating the
 31 maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for
 32 the taxing unit for the ensuing budget year, instead of multiplying the
 33 maximum levy growth quotient determined under IC 6-1.1-18.5-2(b)
 34 or IC 6-1.1-18.5-2(e) (as applicable) for the year by the taxing unit's
 35 maximum permissible ad valorem property tax levy for the preceding
 36 calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for
 37 purposes of STEP TWO of IC 6-1.1-18.5-3(a), the taxing unit's
 38 maximum permissible ad valorem property tax levy for the preceding
 39 calendar year must instead be multiplied by the result of the following:

40 STEP ONE: Determine:

41 (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP
 42 FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus

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1 (B) one (1).
 2 STEP TWO: Multiply:
 3 (A) the STEP ONE result; by
 4 (B) eight-tenths (0.8).
 5 STEP THREE: Add one (1) to the STEP TWO result.
 6 However, if the taxing unit files the information as required in
 7 subsection (c) or (d), whichever applies, for the budget year
 8 immediately following the budget year for which the formula under this
 9 subsection is applied, when calculating the maximum ad valorem
 10 property tax levy under IC 6-1.1-18.5-3(a) for the taxing unit for the
 11 subsequent budget year, the taxing unit's maximum permissible ad
 12 valorem property tax levy must be calculated as if the formula under
 13 this subsection had not been applied for the affected budget year.
 14 (g) If the appropriate fiscal body fails to complete the requirements
 15 of subsection (e) before the adoption deadline in section 5 of this
 16 chapter for any taxing unit subject to this section, when calculating the
 17 maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for
 18 the city, town, or county for the ensuing budget year, instead of
 19 multiplying the maximum levy growth quotient determined under
 20 IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by
 21 the city's, town's, or county's maximum permissible ad valorem
 22 property tax levy for the preceding calendar year as prescribed in STEP
 23 TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of
 24 IC 6-1.1-18.5-3(a), the city's, town's, or county's maximum permissible
 25 ad valorem property tax levy for the preceding calendar year must
 26 instead be multiplied by the result of the following:
 27 STEP ONE: Determine:
 28 (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP
 29 FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
 30 (B) one (1).
 31 STEP TWO: Multiply:
 32 (A) the STEP ONE result; by
 33 (B) eight-tenths (0.8).
 34 STEP THREE: Add one (1) to the STEP TWO result.
 35 However, if the city, town, or county files the information as required
 36 in subsection (e) for the budget year immediately following the budget
 37 year for which the formula under this subsection is applied, when
 38 calculating the maximum ad valorem property tax levy under
 39 IC 6-1.1-18.5-3(a) for the city, town, or county for the subsequent
 40 budget year, the unit's maximum permissible ad valorem property tax
 41 levy must be calculated as if the formula under this subsection had not
 42 been applied for the affected budget year.

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1 SECTION 4. IC 6-1.1-17-20.5, AS AMENDED BY P.L. 113-2010,
 2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 20.5. (a) This section:

4 (1) applies to the governing body of a taxing unit unless a
 5 majority of the governing body is comprised of officials who are
 6 elected to serve on the governing body; **and**

7 (2) **does not apply to the public education corporation.**

8 For purposes of this section, an individual who qualifies to be
 9 appointed to a governing body or serves on a governing body because
 10 of the individual's status as an elected official of another taxing unit
 11 shall be treated as an official who was not elected to serve on the
 12 governing body.

13 (b) As used in this section, "taxing unit" has the meaning set forth
 14 in IC 6-1.1-1-21, except that the term does not include:

15 (1) a school corporation; or

16 (2) an entity whose tax levies are subject to review and
 17 modification by a city-county legislative body under IC 36-3-6-9.

18 (c) If:

19 (1) the assessed valuation of a taxing unit is entirely contained
 20 within a city or town; or

21 (2) the assessed valuation of a taxing unit is not entirely
 22 contained within a city or town but the taxing unit was originally
 23 established by the city or town;

24 the governing body of the taxing unit may not issue bonds or enter into
 25 a lease payable in whole or in part from property taxes unless it obtains
 26 the approval of the city or town fiscal body.

27 (d) However, in the case of a public library that is subject to this
 28 section and is described in subsection (c), the public library may not
 29 issue bonds or enter into a lease payable in whole or in part from
 30 property taxes unless it obtains the approval of the county fiscal body,
 31 rather than the city or town fiscal body, if more than fifty percent (50%)
 32 of the parcels of real property within the jurisdiction of the public
 33 library are located outside the city or town. The requirement that the
 34 public library must obtain the approval of the county fiscal body (rather
 35 than the city or town fiscal body) if more than fifty percent (50%) of
 36 the parcels of real property within the jurisdiction of the public library
 37 are located outside the city or town does not apply to the issuance of
 38 bonds or the execution of a lease:

39 (1) for which a decision or preliminary determination was made
 40 under IC 6-1.1-20 before December 31, 2010; or

41 (2) that is approved by the city or town fiscal body or the county
 42 fiscal body before December 31, 2010.

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1 (e) This subsection applies to a taxing unit not described in
 2 subsection (c) or (d). The governing body of the taxing unit may not
 3 issue bonds or enter into a lease payable in whole or in part from
 4 property taxes unless it obtains the approval of the county fiscal body
 5 in the county where the taxing unit has the most net assessed valuation.

6 SECTION 5. 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. However, in**
 13 **exercising its powers and responsibilities under this chapter, the**
 14 **public education corporation shall account for and include any**
 15 **bonds, leases, and other indebtedness incurred or issued under any**
 16 **law by the school city (as defined in IC 20-25-2-12) before April 1,**
 17 **2026.**

18 SECTION 6. IC 6-1.1-18.5-2, AS AMENDED BY P.L.68-2025,
 19 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 UPON PASSAGE]: Sec. 2. (a) As used in this section, "Indiana
 21 nonfarm personal income" means the estimate of total nonfarm
 22 personal income for Indiana in a calendar year as computed by the
 23 federal Bureau of Economic Analysis using any actual data for the
 24 calendar year and any estimated data determined appropriate by the
 25 federal Bureau of Economic Analysis.

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

31 STEP ONE: For each of the six (6) calendar years immediately
 32 preceding the year in which a budget is adopted under
 33 IC 6-1.1-17-5 for the ensuing calendar year, divide the Indiana
 34 nonfarm personal income for the calendar year by the Indiana
 35 nonfarm personal income for the calendar year immediately
 36 preceding that calendar year, rounding to the nearest
 37 one-thousandth (0.001).

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

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

41 STEP FOUR: Determine the lesser of the following:

42 (A) The STEP THREE quotient.

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- 1 (B) One and six-hundredths (1.06).
- 2 (c) Except as provided in subsection (f), a school corporation, **or,**
- 3 **in the case of a school city (as defined in IC 20-25-2-12), the public**
- 4 **education corporation,** shall use for its operations fund maximum
- 5 levy calculation under IC 20-46-8-1 the maximum levy growth quotient
- 6 determined in the last STEP of the following STEPS:
- 7 STEP ONE: Determine for each school corporation, the average
- 8 annual growth in net assessed value using the three (3) calendar
- 9 years immediately preceding the year in which a budget is
- 10 adopted under IC 6-1.1-17-5 for the ensuing calendar year.
- 11 STEP TWO: Determine the greater of:
- 12 (A) zero (0); or
- 13 (B) the STEP ONE amount minus the sum of:
- 14 (i) the maximum levy growth quotient determined
- 15 under subsection (b) minus one (1); plus
- 16 (ii) two-hundredths (0.02).
- 17 STEP THREE: Determine the lesser of:
- 18 (A) the STEP TWO amount; or
- 19 (B) four-hundredths (0.04).
- 20 STEP FOUR: Determine the sum of:
- 21 (A) the STEP THREE amount; plus
- 22 (B) the maximum levy growth quotient determined under
- 23 subsection (b).
- 24 STEP FIVE: Determine the greater of:
- 25 (A) the STEP FOUR amount; or
- 26 (B) the maximum levy growth quotient determined under
- 27 subsection (b).
- 28 (d) The budget agency shall provide the maximum levy growth
- 29 quotient for the ensuing year to civil taxing units, school corporations,
- 30 **the public education corporation (in the case of a school city (as**
- 31 **defined in IC 20-25-2-12)),** and the department of local government
- 32 finance before July 1 of each year.
- 33 (e) This subsection applies only for purposes of determining the
- 34 maximum levy growth quotient to be used in determining a civil taxing
- 35 unit's maximum permissible ad valorem property tax levy in calendar
- 36 years 2024, 2025, and 2026. For purposes of determining the maximum
- 37 levy growth quotient in calendar years 2024, 2025, and 2026, instead
- 38 of the result determined in the last STEP in subsection (b), the
- 39 maximum levy growth quotient is determined in the last STEP of the
- 40 following STEPS:
- 41 STEP ONE: Determine the result of STEP FOUR of subsection
- 42 (b), calculated as if this subsection was not in effect.

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1 STEP TWO: Subtract one (1) from the STEP ONE result.
 2 STEP THREE: Multiply the STEP TWO result by eight-tenths
 3 (0.8).
 4 STEP FOUR: Add one (1) to the STEP THREE result.
 5 STEP FIVE: Determine the lesser of:
 6 (A) the STEP FOUR result; or
 7 (B) one and four-hundredths (1.04).
 8 (f) This subsection applies only for purposes of determining the
 9 maximum levy growth quotient to be used in determining a school
 10 corporation's, **or, in the case of a school city (as defined in**
 11 **IC 20-25-2-12), the public education corporation's**, operations fund
 12 maximum levy in calendar years 2024, 2025, and 2026. For purposes
 13 of determining the maximum levy growth quotient in calendar years
 14 2024, 2025, and 2026, instead of the result determined in the last STEP
 15 in subsection (c), the maximum levy growth quotient is determined in
 16 the last STEP of the following STEPS:
 17 STEP ONE: Determine the result of STEP FIVE of subsection
 18 (c), calculated as if this subsection was not in effect.
 19 STEP TWO: Subtract one (1) from the STEP ONE result.
 20 STEP THREE: Multiply the STEP TWO result by eight-tenths
 21 (0.8).
 22 STEP FOUR: Add one (1) to the STEP THREE result.
 23 STEP FIVE: Determine the lesser of:
 24 (A) the STEP FOUR result; or
 25 (B) one and four-hundredths (1.04).
 26 SECTION 7. IC 6-1.1-20-0.3 IS ADDED TO THE INDIANA
 27 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 28 **[EFFECTIVE UPON PASSAGE]: Sec. 0.3. (a) Subject to subsection**
 29 **(b), after March 31, 2026, a school city (as defined in**
 30 **IC 20-25-2-12) may not exercise the powers and duties under this**
 31 **chapter and instead the public education corporation assumes the**
 32 **powers and duties of the school city as set forth in IC 20-25.3-5.**
 33 **(b) Notwithstanding subsection (a), the county auditor shall**
 34 **distribute revenue collected from a levy imposed under this**
 35 **chapter to the school city.**
 36 SECTION 8. IC 20-18-2-14.5 IS ADDED TO THE INDIANA
 37 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 38 **[EFFECTIVE UPON PASSAGE]: Sec. 14.5. "Public education**
 39 **corporation" refers to the Indianapolis public education**
 40 **corporation established by IC 20-25.3-3-1.**
 41 SECTION 9. IC 20-24-3-20 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW SECTION TO READ AS FOLLOWS**

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[EFFECTIVE UPON PASSAGE]: **Sec. 20. (a) Beginning April 1, 2026, a charter may not be granted or renewed by an authorizer for a charter school located within the geographic boundaries of the school city (as defined in IC 20-25-2-12) except by one (1) of the following:**

- (1) The charter board.
- (2) The executive (as defined in IC 36-1-2-5) of a consolidated city.
- (3) The school city.

(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).

SECTION 10. IC 20-25-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. The board of commissioners has all of the powers and duties established under this article except for the powers and duties granted to the Indianapolis public education corporation under IC 20-25.3.**

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

(b) The public education corporation may issue bonds, enter into leases, or otherwise incur indebtedness after March 31, 2026, and before July 1, 2027, only if the board established by IC 20-25-3-1 first adopts a resolution approving the issuance of the bonds, entering into the lease, or incurring of indebtedness.

SECTION 12. IC 20-25.3 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 25.3. INDIANAPOLIS PUBLIC EDUCATION CORPORATION

Chapter 1. Scope of Authority

Sec. 1. The Indianapolis public education corporation exists

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1 and shall operate for the public purpose of establishing a unified
2 student transportation, school property, and school performance
3 system within the geographic boundaries of the school city that
4 maximizes the efficient use of taxpayer provided resources,
5 respects the decision making of individual public schools and the
6 school city, and creates the best conditions for student learning and
7 success.

8 Sec. 2. This article shall be liberally construed to effect the
9 purposes of this article. If any other law or rule is inconsistent with
10 this article, this article is controlling as to the administration and
11 management of school property, transportation, and school
12 performance within the geographic boundaries of the school city
13 undertaken under this article.

14 Chapter 2. Definitions

15 Sec. 1. The definitions in:

- 16 (1) this chapter; and
- 17 (2) except as provided in section 2 of this chapter,
18 IC 20-25-2;

19 apply throughout this article.

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

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

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

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

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

- 28 (1) A school maintained by the school city.
- 29 (2) The following that are located within the geographic
30 boundaries of the school city:
 - 31 (A) A participating innovation network school.
 - 32 (B) A participating innovation network charter school.
 - 33 (C) A charter school.

34 Sec. 7. "School property" means a building or real property
35 that is:

- 36 (1) leased or owned by the school city or a participating
37 school; and
- 38 (2) located within the geographic boundaries of the school
39 city.

40 Chapter 3. Indianapolis Public Education Corporation

41 Sec. 1. There is established in a county containing a
42 consolidated city for the public purposes set forth in this article a

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1 distinct municipal corporation to be known as the Indianapolis
2 Public Education Corporation.

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

5 (b) The corporation board is comprised of the following nine
6 (9) members:

7 (1) Three (3) members appointed by the mayor who are
8 leaders of participating innovation network charter schools
9 or charter schools located within the geographic boundaries
10 of the school city.

11 (2) Three (3) members appointed by the mayor who are
12 members of the board of school commissioners.

13 (3) Three (3) members appointed by the mayor who have:
14 (A) expertise in management, capital planning, facilities,
15 transportation, or logistics; or
16 (B) experience in working with vulnerable student
17 populations and communities.

18 (c) All members of the corporation board must reside within
19 the geographic boundaries of the school city.

20 (d) The mayor shall appoint one (1) of the members of the
21 corporation board as chairperson of the corporation board.

22 Sec. 3. (a) The term of office of an appointed member of the
23 corporation board is six (6) years. The member's term begins on
24 July 1 after the appointment.

25 (b) Each member holds office for the term of appointment and
26 continues to serve after expiration of the appointment until a
27 successor is appointed and qualified. A member is eligible for
28 reappointment.

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

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

33 (1) leader of a participating innovation network charter
34 school or charter school located within the geographic
35 boundaries of the school city; or

36 (2) member of the board of commissioners.

37 (e) A member of the corporation board may be removed for
38 cause by the mayor.

39 Sec. 4. (a) A majority of the corporation board members
40 constitutes a quorum for a meeting. The corporation board may
41 act by an affirmative vote of a majority of the corporation board.

42 (b) A vacancy in the membership of the corporation board

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1 does not impair the right of a quorum to exercise all rights and
2 perform all duties of the corporation board.

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

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

10 **Sec. 7. The corporation board shall keep the corporation**
11 **board's documents in the office of the corporation or in an**
12 **electronic format. The corporation board shall record the aye and**
13 **nay vote on the final passage of any item of business and on any**
14 **other item if two (2) corporation board members request that the**
15 **votes be recorded by ayes and nays.**

16 **Sec. 8. (a) The corporation board shall adopt rules of**
17 **procedure for corporation board meetings. The corporation board**
18 **may suspend the rules of procedure by unanimous vote of the**
19 **members present at the meeting. The corporation board shall not**
20 **suspend the rules of procedure beyond the duration of the meeting**
21 **at which the suspension of rules occurs.**

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

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

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

30 **(b) The executive director:**

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

32 **(2) shall do the following:**

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

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

41 **(C) Perform other duties as may be directed by the**
42 **members of the corporation board in carrying out the**



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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 March 31, 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, 2029.

(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);**

shall each serve until July 1, 2030.

(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, 2031.

(b) This section expires January 1, 2032.

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. (a) In carrying out the purpose of the corporation, the corporation board is granted all powers necessary or appropriate

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to do the following:

- (1) Beginning with the 2028-2029 school year, control the management and operation of school property.
- (2) Establish, in collaboration with the nonprofit organization leading the transportation and centralized school facilities pilot program in Marion County and the school city, a unified transportation plan in accordance with section 5 of this chapter and, beginning with the 2028-2029 school year, 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 a single school performance framework in accordance with section 3 of this chapter that applies to all participating schools.
- (4) 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 outcomes and publicly report data in a manner prescribed by the mayor.
- (8) Make, execute, and enforce contracts and all other instruments necessary, convenient, or desirable for the purposes of the corporation, including entering into a contract with, as applicable, the school city and each participating school regarding:
 - (A) the management and operation of school property;
 - (B) provision of transportation of all students to and from participating schools within the geographic boundaries of the school city; and
 - (C) any other matters the corporation board determines is necessary to carry out the purposes of the corporation.
- (9) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the corporation board considers necessary for school purposes, including buildings, parts of

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1 buildings, additions to buildings, rooms, gymnasiums,
 2 auditoriums, playgrounds, playing and athletic fields,
 3 facilities for physical training, buildings for administrative,
 4 office, warehouse, repair activities, or housing school owned
 5 buses, landscaping, walks, drives, parking areas, roadways,
 6 easements and facilities for power, sewer, water, roadway,
 7 access, storm and surface water, drinking water, gas,
 8 electricity, other utilities and similar purposes, by purchase,
 9 either outright for cash (or under conditional sales or
 10 purchase money contracts providing for a retention of a
 11 security interest by the seller until payment is made or by
 12 notes where the contract, security retention, or note is
 13 permitted by applicable law), by exchange, by gift, by devise,
 14 by eminent domain, or by lease with or without option to
 15 purchase, or by lease under IC 20-47-2 or IC 20-47-3.

16 (10) Repair, remodel, remove, or demolish, or to contract for
 17 the repair, remodeling, removal, or demolition of the real
 18 estate, real estate improvements, or interest in the real estate
 19 or real estate improvements that the corporation owns, as
 20 the corporation board considers necessary for school
 21 purposes.

22 (11) Acquire personal property or an interest in personal
 23 property as the corporation board considers necessary for
 24 school purposes, including buses, motor vehicles, equipment,
 25 apparatus, and appliances, either by cash purchase or under
 26 conditional sales or purchase money contracts providing for
 27 a security interest by the seller until payment is made or by
 28 notes where the contract, security, retention, or note is
 29 permitted by applicable law, by gift, by devise, by loan, or by
 30 lease with or without option to purchase and to repair,
 31 remodel, remove, relocate, and demolish the personal
 32 property. All purchases and contracts specified under the
 33 powers authorized under subdivisions (9) and (10) and this
 34 subdivision are subject solely to applicable law relating to
 35 purchases and contracting by municipal corporations in
 36 general and to the supervisory control of state agencies as
 37 provided in section 8 of this chapter.

38 (12) To sell or exchange real or personal property or interest
 39 in real or personal property that, in the opinion of the
 40 corporation board, is not necessary for school purposes to
 41 demolish or otherwise dispose of the property if, in the
 42 opinion of the corporation board, the property is not

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- 1 **necessary for school purposes and is worthless, and to pay**
- 2 **the expenses for the demolition or disposition.**
- 3 **(13) Contract with or employ staff to execute the**
- 4 **corporation's duties.**
- 5 **(14) Fix and pay the salaries of the executive director and**
- 6 **any employees of the corporation.**
- 7 **(15) Maintain an office or offices at a place or places within**
- 8 **the geographic boundaries of the school city as the**
- 9 **corporation board may designate.**
- 10 **(16) To make budgets, to appropriate funds, and to disburse**
- 11 **the money, as applicable, of the corporation in accordance**
- 12 **with the formula established under subdivision (6). Subject**
- 13 **to subsection (c), to borrow money against current tax**
- 14 **collections and otherwise to borrow money, in accordance**
- 15 **with IC 20-48-1. Borrowing by the corporation, when**
- 16 **considered in addition to indebtedness of the school city, may**
- 17 **not equal an aggregate amount that exceeds the debt**
- 18 **limitation described by IC 36-1-15-6 for the school city.**
- 19 **(17) Procure insurance against any loss in connection with its**
- 20 **property and other assets, including loans and loan notes in**
- 21 **amounts and from insurers as the corporation board may**
- 22 **consider advisable.**
- 23 **(18) To make all applications, to enter into all contracts, and**
- 24 **to sign all documents necessary for the receipt of aid, money,**
- 25 **or property from the state, the federal government, or from**
- 26 **any other source.**
- 27 **(19) To defend a member of the corporation board or any**
- 28 **employee of the corporation in any suit arising out of the**
- 29 **performance of the member's or employee's duties for or**
- 30 **employment with, the corporation, if the corporation board**
- 31 **by resolution determined that the action was taken in good**
- 32 **faith. To save any member or employee harmless from any**
- 33 **liability, cost, or damage in connection with the performance,**
- 34 **including the payment of legal fees, except where the**
- 35 **liability, cost, or damage is predicated on or arises out of the**
- 36 **bad faith of the member or employee, or is a claim or**
- 37 **judgment based on the member's or employee's malfeasance**
- 38 **as a member or in employment.**
- 39 **(20) To prepare, make, enforce, amend, or repeal rules,**
- 40 **regulations, orders, and procedures:**
- 41 **(A) to carry out the purposes of the corporation; and**
- 42 **(B) that may be designated by an appropriate title such**

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1 as "policy handbook", "bylaws", or "rules and
 2 regulations".
 3 (21) Regularly conduct assessments of school property.
 4 (22) To exercise any other power and make any expenditure
 5 in carrying out the general powers and purposes provided in
 6 this article or in carrying out the powers delineated in this
 7 section which is reasonable from a business or educational
 8 standpoint in carrying out purposes of the corporation,
 9 including the acquisition of property or the employment or
 10 contracting for services, even though the power or
 11 expenditure is not specifically set out in this chapter.
 12 (b) The corporation board shall determine the percentage of
 13 property tax revenue that the county auditor is required to
 14 distribute to the corporation under IC 20-46-8-11.2(j) or
 15 IC 20-46-8-12(m), as applicable. The amount determined under
 16 this subsection may not exceed three percent (3%) of the total
 17 amount of revenue to be distributed under IC 20-46-8-11.2(f),
 18 IC 20-46-8-12(h), or IC 20-46-8-12(l), as applicable, to the school
 19 city and to each charter school described in IC 20-46-8-12(m)(2)
 20 for each settlement period described in IC 6-1.1-27-1.
 21 (c) The public education corporation may issue bonds, enter
 22 into leases, or otherwise incur indebtedness after March 31, 2026,
 23 and before July 1, 2027, only if the local board of school
 24 commissioners established by IC 20-25-3-1 first adopts a resolution
 25 approving the issuance of the bonds, entering into the lease, or
 26 incurring of indebtedness.
 27 (d) The corporation board shall, in collaboration with the
 28 school city and the nonprofit organization leading the
 29 transportation and centralized school facilities pilot program in
 30 Marion County, do the following:
 31 (1) Complete a feasibility study to determine the best
 32 approach for managing school property.
 33 (2) Not later than November 30, 2026, submit to the
 34 legislative council in an electronic format under IC 5-14-6 a
 35 report that includes information regarding the corporation
 36 board's progress in completing the feasibility study under
 37 subdivision (1) and report under subdivision (3).
 38 (3) Not later than November 30, 2027, prepare and submit a
 39 report regarding the feasibility study under subdivision (1)
 40 to the legislative council in an electronic format under
 41 IC 5-14-6.
 42 This subsection expires July 1, 2028.

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1 **Sec. 3. (a) The corporation board shall, in collaboration with**
 2 **the school city and authorizers of charter schools described in**
 3 **IC 20-25.3-2-6, create a single school performance framework that**
 4 **applies beginning with the 2028-2029 school year to all**
 5 **participating schools.**

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

7 **(1) set clear expectation for school performance;**

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

9 **(A) academic performance measures, including the**
 10 **performance assessment results under IC 20-31-8;**

11 **(B) student assessment outcomes;**

12 **(C) student discipline practices;**

13 **(D) student enrollment;**

14 **(E) physical condition of school property, including**
 15 **deferred maintenance;**

16 **(F) short and long term financial health measures;**

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

18 **(H) replication of instructional models that are**
 19 **achieving the best results for students; and**

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

22 **(3) include both of the following:**

23 **(A) A process to close chronically low performing**
 24 **participating schools.**

25 **(B) A process to close inefficient school buildings.**

26 **(c) Before a participating school may be closed as described in**
 27 **subsection (b)(3), the corporation shall:**

28 **(1) consult with the department; and**

29 **(2) hold a public hearing within the geographic boundaries**
 30 **of the school city;**

31 **regarding the proposed closure of the participating school.**

32 **(d) Except as provided under subsection (e), a participating**
 33 **school may not be closed as described in subsection (b)(3)(A) unless**
 34 **the following occurs:**

35 **(1) If the participating school is a charter school, the**
 36 **authorizer of the participating school approves the closure.**

37 **(2) If the participating school is not a charter school, the**
 38 **board of school commissioners approves the closure.**

39 **(e) If an authorizer or the board of school commissioners,**
 40 **whichever is applicable, does not approve the closure of a**
 41 **participating school under subsection (d), the corporation board**
 42 **may appeal to the state board to request that the participating**

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1 school be closed. Not later than sixty (60) days after receiving an
2 appeal from the corporation board under this subsection, the state
3 board shall approve or decline the closure of the participating
4 school.

5 (f) The corporation board shall submit to the legislative
6 council in an electronic format under IC 5-14-6 the following:

7 (1) Not later than August 1, 2026, a report that includes
8 information regarding the corporation board's progress in
9 creating a single school performance framework under this
10 section, including information related to the progress on the
11 plan to close inefficient school buildings.

12 (2) Not later than November 30, 2027, the single school
13 performance framework created under this section.

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

18 Sec. 5. (a) The corporation board shall do the following:

19 (1) Establish a unified transportation plan regarding the
20 provision of transportation of all students to and from
21 participating schools within the geographic boundaries of the
22 school city.

23 (2) Include in the unified transportation plan the amount
24 needed to fully fund the plan.

25 (3) Not later than November 30, 2026, submit to the
26 legislative council in an electronic format under IC 5-14-6 a
27 report that includes information regarding the corporation
28 board's progress in completing the unified transportation
29 plan.

30 (4) Not later than November 30, 2027, submit the unified
31 transportation plan to the legislative council in an electronic
32 format under IC 5-14-6.

33 (b) The corporation board shall implement the unified
34 transportation plan beginning in the 2028-2029 school year.

35 Sec. 6. The school city and all participating schools:

36 (1) are required to provide transportation to the students of
37 the school city or participating schools through the unified
38 transportation plan implemented by the corporation board;

39 (2) shall enter into contracts with the corporation board; and

40 (3) shall comply with any applicable regulations, orders,
41 rules, and resolutions adopted by the corporation board.

42 Sec. 7. The corporation is subject to required audits by the

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1 state board of accounts under IC 5-11-1-9.

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

13 Sec. 9. (a) Subject to subsection (b), nothing in this article may
14 be construed to impair a contract that was entered into before the
15 effective date of this article. However, after the effective date of
16 this article, the school city or a participating school may not enter
17 into, renew, or extend a contract that is not in compliance with:

- 18 (1) this article;
- 19 (2) a contract entered into by the school city or participating
20 school under this article; or
- 21 (3) any regulation, order, rule, or resolution adopted by the
22 corporation board.

23 (b) Notwithstanding subsection (a), the school city may
24 continue to enter into, renew, or extend any contract with respect
25 to the proceeds of bonds, leases, and other obligations issued or
26 entered into by the school city before April 1, 2026, pursuant to
27 IC 6-1.1-20, IC 20-48-1, IC 20-47-2, and IC 20-47-3. The
28 corporation may not impair any such contracts with respect to the
29 existing proceeds.

30 Chapter 5. Financial and Administrative Powers and Duties

31 Sec. 1. (a) Any indebtedness, liabilities, and obligations
32 incurred before April 1, 2026, by the school city or any
33 participating school, remain the debt, liability, or obligation of the
34 school city or participating school and do not become the debt,
35 liability, or obligation of and may not be assumed by the
36 corporation. The rights of the bondholders remain unchanged.

37 (b) Any indebtedness, liabilities, and obligations incurred after
38 March 31, 2026, by the corporation are the debt, liability, or
39 obligation of the corporation.

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

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1 under IC 5-1.

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

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

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

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

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

27 (b) Notwithstanding subsection (a), property tax revenue
28 received from an operating referendum tax levy that is approved
29 by the voters after March 31, 2026, shall be distributed to the
30 school city and applicable charter schools in the manner provided
31 under IC 20-46-1.

32 (c) An operating referendum tax levy that is approved by the
33 voters before April 1, 2026, shall continue to be imposed after
34 March 31, 2026, through the end of the term and the school city
35 shall continue to use the revenue from the operating referendum
36 tax levy for the same purposes for which it was originally approved
37 by the voters through the end of the term of the referendum.

38 Sec. 6. (a) Subject to subsection (b), beginning July 1, 2026, the
39 corporation shall assume the powers and duties of the school city
40 under IC 20-46-7 with respect to imposition of a debt service levy.
41 Beginning with the January 1, 2027, assessment date, and for each
42 assessment date thereafter, the corporation shall impose both:

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1 (1) an annual property tax levy in the territory of the school
2 city sufficient to pay all obligations of the school city; and

3 (2) an annual property tax levy in the territory of the school
4 city sufficient to pay all obligations of the corporation.

5 Property tax revenue received from the tax levies shall be used to
6 pay outstanding debts and obligations in the manner set forth in
7 subsection (b) and IC 20-46-7-0.5.

8 (b) Property tax revenue received from the debt service levy
9 described in IC 20-46-7-0.5(a)(2)(A) that is imposed for the
10 purpose of paying all obligations of the school city must be
11 deposited in the school city's debt service fund established under
12 IC 20-40-9 and may be used only to pay the obligations of the
13 school city. The school city shall use the revenue from the debt
14 service levy to pay debt service on the same terms, for the same
15 period of time, and for the same purposes for which the obligation
16 was initially authorized.

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

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

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

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

38 Chapter 6. Indianapolis Public Education Corporation
39 Operations Fund

40 Sec. 1. The corporation shall create a corporation operations
41 fund to be used by the corporation for the purposes of the
42 corporation.

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1 **Sec. 2. The corporation operations fund shall be used to**
 2 **deposit revenue received under IC 20-46-8-11.2(j) and**
 3 **IC 20-46-8-12(m).**

4 **Sec. 3. Expenditures from the corporation operations fund**
 5 **may be made only after appropriation in the annual budget or by**
 6 **an additional appropriation under IC 6-1.1-18-5.**

7 **Sec. 4. (a) Any balance in the corporation operations fund may**
 8 **be invested in the manner provided for investment of money by a**
 9 **political subdivision. The net proceeds from the investment become**
 10 **a part of the corporation operations fund.**

11 **(b) Any balance, or a part of the balance, remaining in the**
 12 **corporation operations fund at the end of a year may be retained**
 13 **in the corporation operations fund.**

14 **Sec. 5. The corporation may use money in the corporation**
 15 **operations fund to carry out the purposes of the corporation.**

16 **Chapter 7. Indianapolis Public Education Corporation Debt**
 17 **Service Fund**

18 **Sec. 1. As used in this chapter, "debt service" includes bonds**
 19 **and coupons, civil bond obligations, lease rental contracts, and**
 20 **interest cost on emergency and temporary loans.**

21 **Sec. 2. As used in this chapter, "fund" refers to a debt service**
 22 **fund established under section 3 of this chapter.**

23 **Sec. 3. The corporation shall establish a debt service fund for**
 24 **purposes of paying the obligations of the corporation.**

25 **Sec. 4. (a) The debt service fund shall be used to deposit**
 26 **revenue received from the debt service levy imposed under**
 27 **IC 20-46-7 for the purpose of paying all obligations of the**
 28 **corporation.**

29 **(b) Money in the debt service fund may be used for payment**
 30 **of the following:**

31 **(1) All debt and other obligations arising out of funds**
 32 **borrowed or advanced for school buildings when purchased**
 33 **from the proceeds of a bond issue for capital construction.**

34 **(2) A lease to provide capital construction.**

35 **(3) Interest on emergency and temporary loans.**

36 **(4) All debt and other obligations arising out of funds**
 37 **borrowed or advanced for the purchase or lease of school**
 38 **buses when purchased or leased from the proceeds of a bond**
 39 **issue, or from money obtained from a loan made under**
 40 **IC 20-27-4-5, for that purpose.**

41 **(5) All debt and other obligations arising out of funds**
 42 **borrowed to pay judgments against the corporation.**



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1 **(6) All debt and other obligations arising out of funds**
 2 **borrowed to purchase equipment.**
 3 **Sec. 5. Money in the fund may not be used for payment of debt**
 4 **service, lease payments, or similar obligations for a controlled**
 5 **project that is approved by the voters in a referendum under**
 6 **IC 6-1.1-20.**
 7 **Sec. 6. (a) Lease rental obligations on account of leases entered**
 8 **into under IC 20-47-2 or IC 20-47-3 may be paid by a corporation**
 9 **from the debt service fund.**
 10 **(b) Payments described in subsection (a) must be provided for**
 11 **in the annual budget for the fund from which the payment is made.**
 12 SECTION 13. IC 20-26-7-47, AS AMENDED BY P.L.36-2024,
 13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]: Sec. 47. (a) The following definitions apply
 15 throughout this section:
 16 (1) "Covered school building" has the meaning set forth in
 17 IC 20-26-7.1-2.1.
 18 (2) "Current school year" refers to a year in which the governing
 19 body is required to conduct a review of school building usage
 20 under subsection (c).
 21 (3) "Enrollment" refers to the following:
 22 (A) Except as provided in clause (B), students counted in
 23 ADM (as defined in IC 20-43-1-6) in the first count date for
 24 a school year fixed under IC 20-43-4-3.
 25 (B) With regard to a school corporation, students counted in
 26 a school corporation's fall count of ADM minus all students
 27 counted in the fall count of ADM who are enrolled in
 28 eligible schools that:
 29 (i) have entered into an agreement with the school
 30 corporation to participate as a participating innovation
 31 network charter school under IC 20-25.7-5; and
 32 (ii) are included in the school corporation's fall ADM
 33 count.
 34 (4) "Interested person" has the meaning set forth in
 35 IC 20-26-7.1-2.2.
 36 (b) This section:
 37 (1) applies to a school corporation only if:
 38 (+) (A) the total student enrollment for in-person instruction
 39 in the school corporation in the current school year is at
 40 least ten percent (10%) less than the student enrollment for
 41 in-person instruction in the school corporation in a school
 42 year that precedes the current school year by five (5); and

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1 (2) **(B)** the school corporation in the current school year has
 2 more than one (1) school building serving the same grade
 3 level as the school building subject to closure under this
 4 section; **and**
 5 **(2) does not apply to a school city (as defined in**
 6 **IC 20-25-2-12).**
 7 (c) Each school year, the governing body of a school corporation
 8 shall review the usage of school buildings used by the school
 9 corporation to determine whether any school building should be closed
 10 for the ensuing school year and subsequent school years.
 11 (d) A school corporation shall close a school building for the
 12 ensuing school year (and subsequent school years) if:
 13 (1) at any time the school building had been used for classroom
 14 instruction;
 15 (2) in the current school year and the two (2) school years
 16 immediately preceding the current school year the school
 17 building was underutilized for classroom instruction purposes or
 18 other allowable uses specified by this section;
 19 (3) as of the end of the school year before the school building is
 20 required to be closed under this section, the school corporation
 21 was not subject to a transitional plan adopted by the governing
 22 body and approved by the department to use the school building
 23 for an allowable use not later than the next school year after the
 24 school building is otherwise required to be closed under this
 25 section;
 26 (4) in the case of a school building that was used in any part in
 27 the current school year for instructional purposes, the school
 28 corporation has another school building:
 29 (A) with sufficient capacity to take the students using the
 30 school building being considered for closure; and
 31 (B) that does not require more than twenty (20) minutes of
 32 travel time by car or bus from the school building being
 33 considered for closure; and
 34 (5) the school building is not a school building described in
 35 IC 20-26-7.1-1, IC 20-26-7.1-3(b), IC 20-26-7.1-3(c), or
 36 IC 20-26-7.1-3(d).
 37 (e) For purposes of this section, a school building is underutilized
 38 in a school year if the school building is not used for any of the
 39 following allowable uses:
 40 (1) The number of full-time equivalent students enrolled for
 41 in-person instruction in the school building on instructional days
 42 (as determined under IC 20-30-2) for instructional purposes,

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- 1 averaged over the current school year and the two (2) school
- 2 years immediately preceding the current school year, is at least
- 3 fifty percent (50%) of:
- 4 (A) the known classroom design capacity of the school
- 5 building; or
- 6 (B) if the design capacity is not known, the average
- 7 maximum full-time equivalent enrollment in any of the last
- 8 twenty-five (25) years, as validated by records created or
- 9 maintained by the department.
- 10 (2) The school corporation demonstrates through facts included
- 11 in a resolution that the school building is being used and that it
- 12 is financially prudent to continue to use the school building,
- 13 considering all community resources, for a distinct student
- 14 population that reasonably cannot be served through integration
- 15 with the general school population, such as students attending an
- 16 alternative education program (as defined in IC 20-30-8-1).
- 17 However, to be an allowable use under this subdivision, the
- 18 average number of full-time equivalent students using the school
- 19 building in a school year for instructional purposes must be at
- 20 least thirty percent (30%) of:
- 21 (A) the known classroom design capacity of the school
- 22 building; or
- 23 (B) if the design capacity is not known, the average
- 24 maximum full-time equivalent enrollment in any of the last
- 25 twenty-five (25) years, as validated by records created or
- 26 maintained by the department; and
- 27 (if multiple school buildings are used for the same purposes)
- 28 combining the student populations into fewer school buildings
- 29 is not reasonably feasible.
- 30 (3) The school corporation demonstrates through facts included
- 31 in a resolution that the school building is being used and that it
- 32 is financially prudent to continue to use the school building,
- 33 considering all community resources, for administrative or other
- 34 school offices. However, to be an allowable use under this
- 35 subdivision, at least fifty percent (50%) of the square footage of
- 36 the school building must be used for offices, the personnel
- 37 headquartered in the school building must consistently use the
- 38 space for office purposes, and the occupancy cost of using the
- 39 school building cannot be more than comparable office space
- 40 that is available in the school district.
- 41 (4) The school corporation demonstrates through facts included
- 42 in a resolution that the school building is being used and that it

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1 is financially prudent to continue to use the school building,
 2 considering all community resources, for storage. However, to be
 3 an allowable use under this subdivision, at least fifty percent
 4 (50%) of the square footage of the school building must be used
 5 for storage, on average the storage space must be used to
 6 capacity, and the cost of using the school building for storage
 7 must be less than comparable storage space that is available in
 8 the school district.

9 (5) The school corporation demonstrates through facts included
 10 in a resolution that the school building is being used and that it
 11 is financially prudent to continue to use the school building,
 12 considering all community resources, for a combination of office
 13 space and storage. However, to be an allowable use under this
 14 subdivision, at least fifty percent (50%) of the square footage of
 15 the school building must be used for a combination of office
 16 space and storage and:

17 (A) the personnel headquartered in the school building must
 18 consistently use the office space for office purposes, and the
 19 occupancy cost of using the office space, calculated using
 20 the costs of operating the school building, cannot be more
 21 than comparable office space that is available in the school
 22 district; and

23 (B) on average, the storage space must be used to capacity
 24 and the cost of using the school building for storage must be
 25 less than comparable storage space that is available in the
 26 school district.

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

28 (1) owned by the school corporation or any other entity that is
 29 related in any way to, or created by, the school corporation or the
 30 governing body; or

31 (2) jointly owned in the same manner by two (2) or more school
 32 corporations;

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

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

40 (h) If an agreement is not reached within forty-five (45) days after
 41 the date that the school corporation receives the notice under
 42 subsection (g), the charter school or state educational institution may

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1 petition the department to initiate or the department on its own may
 2 initiate a proceeding for a determination as to whether a school
 3 building meets the criteria for closure under this section or a covered
 4 school building that is no longer used for classroom instruction by a
 5 school corporation should be made available under IC 20-26-7.1. If a
 6 charter school or state educational institution petitions the department
 7 under this subsection, the charter school or state educational institution
 8 must provide a copy of the petition to the applicable school
 9 corporation.

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

16 (j) Not more than sixty (60) days after receiving notice of a
 17 petition under subsection (h), the school corporation must:

18 (1) file a response to the petition that notifies the department that
 19 the school corporation:

20 (A) is not contesting the petition; or

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

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

25 (k) If the school corporation:

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

28 (2) fails to submit a timely response under subsection (j);

29 the department shall issue an order granting the petition. A petition and
 30 any response or reply are public documents.

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

35 (m) The department shall make a determination regarding a
 36 petition under subsection (h) not more than one hundred twenty (120)
 37 days after the date that the:

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

40 (2) time period to reply under subsection (l) has expired.

41 (n) A school corporation or another party to the proceeding may
 42 file with the state board a petition requesting review of the department's

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1 determination. Upon receipt of a petition under this subsection, the
 2 state board shall review the department's determination. An appeal to
 3 the state board shall be subject to the procedure described in
 4 IC 20-26-11-15(b).

5 (o) Upon the issuance of a final unappealable order granting a
 6 petition, the school corporation shall make the school building
 7 available for lease or purchase in accordance with IC 20-26-7.1.

8 SECTION 14. IC 20-26-7-48, AS ADDED BY P.L.189-2023,
 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]: Sec. 48. (a) The following definitions apply
 11 throughout this section:

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

15 (2) "Enrollment" has the meaning set forth in section 47(a)(3) of
 16 this chapter.

17 (b) This section:

18 (1) applies to a school corporation only if:

19 (1) (A) the total student enrollment for in-person instruction
 20 in the school corporation in the current school year is at
 21 least ten percent (10%) less than the student enrollment for
 22 in-person instruction in the school corporation in a school
 23 year that precedes the current school year by five (5); and

24 (2) (B) the school corporation in the current school year has
 25 more than one (1) school building serving the same grade
 26 level as a school building subject to closure under section
 27 47 of this chapter; and

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

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

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

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

37 (A) Designed occupancy, regardless of current use.

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

42 (C) The following information:

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- 1 (i) Current average full-time equivalent student
- 2 enrollment for in-person instruction in the school
- 3 building on instructional days (as determined under
- 4 IC 20-30-2) in a school year.
- 5 (ii) Percentage of instructional use.
- 6 (iii) Percentage of use for other purposes.
- 7 (D) Self-evaluation of whether the building qualifies for
- 8 closure under section 47 of this chapter or the school board
- 9 otherwise intends to close the building and the date closure
- 10 will occur (if applicable).

11 SECTION 15. IC 20-26-7.1-1, AS AMENDED BY P.L.68-2025,
 12 SECTION 209, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) For purposes of this
 14 section, "charter school" does not include a virtual charter school or an
 15 adult high school.

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

- 17 (1) A school building that since July 1, 2011, is leased or loaned
- 18 by the school corporation that owns the school building to
- 19 another entity, if the entity is not a building corporation or other
- 20 entity that is related in any way to, or created by, the school
- 21 corporation or the governing body.
- 22 (2) A school corporation to which all of the following apply:
- 23 (A) The county auditor distributes revenue after May 10,
- 24 2023, as required under IC 20-46-1-21 or IC 20-46-1-22 to
- 25 each eligible charter school.
- 26 (B) If the school corporation listed in IC 20-46-9-22
- 27 receives revenue from a school safety referendum tax levy
- 28 under IC 20-46-9, the county auditor distributes revenue
- 29 after May 10, 2023, as required under IC 20-46-9-22 to
- 30 each charter school described in IC 20-46-9-22(b).

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

- 34 (3) A school corporation to which all of the following apply:
- 35 (A) The school corporation approves a resolution after May
- 36 10, 2023, to impose an operating referendum tax levy under
- 37 IC 20-46-1 after May 10, 2023, that includes sharing the
- 38 revenue from the referendum tax levy in the amounts
- 39 described in clause (B) with each charter school that:
- 40 (i) a student who resides within the attendance area of
- 41 the school corporation attends; and
- 42 (ii) elects to participate in the referendum.

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1 The above subdivisions are intended to apply retroactively. No
 2 resolutions, referendums, or distributed revenue prior to May 10,
 3 2023, are effective to provide exemption from this chapter.

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

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

11 (D) The school corporation distributes the amounts
 12 described in clause (B) to each charter school described in
 13 clause (A).

14 (E) If the school corporation receives revenue from a school
 15 safety referendum tax levy under IC 20-46-9, the school
 16 corporation shares the revenue from the school safety
 17 referendum tax levy with each charter school that:

18 (i) a student who resides within the attendance area of
 19 the school corporation attends; and

20 (ii) elects to participate in the referendum;

21 in an amount equal to the amount determined applying the
 22 formula under IC 20-46-9-22(d).

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

24 (c) In order for any payment to a charter school to qualify as
 25 sharing of proceeds from a referendum for purposes of exemption from
 26 IC 20-26-7.1, the referendum must have been passed with prior notice
 27 to voters of all amounts of referendum proceeds to be paid to charter
 28 schools. Any claim of exemption based on payment of proceeds from
 29 a referendum passed without such notice is void.

30 SECTION 16. IC 20-46-1-0.5 IS ADDED TO THE INDIANA
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. (a) Subject to subsection**
 33 **(b), after March 31, 2026, a school city (as defined in**
 34 **IC 20-25-2-12) may not exercise the powers and duties under this**
 35 **chapter and instead the public education corporation assumes the**
 36 **powers and duties of the school city as set forth in IC 20-25.3-5.**

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

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

41 **(2) distribute revenue collected from a levy imposed under**
 42 **this chapter to the school city and any charter schools as**

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- 1 **provided in section 21 or 22 of this chapter, as applicable.**
2 SECTION 17. IC 20-46-7-0.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
4 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. (a) Beginning with**
5 **property taxes first due and payable after December 31, 2027:**
6 (1) a school city (as defined in IC 20-25-2-12) may not impose
7 the property tax levy or otherwise exercise the powers and
8 duties under this chapter; and
9 (2) the public education corporation shall impose both:
10 (A) an annual property tax levy in the territory of the
11 school city sufficient to pay all obligations of the school
12 city; and
13 (B) an annual property tax levy in the territory of the
14 school city sufficient to pay all obligations of the
15 corporation.
16 (b) Property tax revenue received from the:
17 (1) property tax levy described in subsection (a)(2)(A) shall
18 be deposited in the debt service fund established by the
19 school city under IC 20-40-9 and used to pay debt service on
20 the same terms, for the same period of time, and for the same
21 purposes for which the obligation was initially authorized;
22 and
23 (2) property tax levy described in subsection (a)(2)(B) shall
24 be deposited in the public education corporation's debt
25 service fund established by IC 20-25-7-3 and used for the
26 purposes of the fund.
27 SECTION 18. IC 20-46-8-0.5 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), beginning with property taxes first due and payable after**
31 **December 31, 2027:**
32 (1) a school city (as defined in IC 20-25-2-12) may not impose
33 the property tax levy or otherwise exercise the powers and
34 duties under this chapter; and
35 (2) the public education corporation shall impose the annual
36 property tax levy under this chapter in the territory of the
37 school city and assumes the powers and duties of the school
38 city under this chapter as set forth in IC 20-25.3-5.
39 (b) Notwithstanding subsection (a), beginning with property
40 taxes first due and payable after December 31, 2025, the county
41 auditor shall:
42 (1) determine the amounts of revenue to be distributed to the

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1 **public education corporation, the school city, and any**
 2 **charter schools as provided in section 11.2 or 12 of this**
 3 **chapter, as applicable; and**
 4 **(2) distribute revenue collected from a levy imposed under**
 5 **this chapter to the public education corporation, the school**
 6 **city, and any charter schools as provided in section 11.2 or**
 7 **12 of this chapter, as applicable.**

8 SECTION 19. IC 20-46-8-11.2, AS AMENDED BY P.L.68-2025,
 9 SECTION 225, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE UPON PASSAGE]: Sec. 11.2. (a) This section applies
 11 only to revenue collected after June 30, 2024, and before January 1,
 12 2028, from a tax levy imposed under this chapter by a school
 13 corporation located in:

- 14 (1) Lake County;
- 15 (2) Marion County;
- 16 (3) St. Joseph County; or
- 17 (4) Vanderburgh County.

18 However, this section does not apply to, and distributions are not
 19 required for, a school corporation that is designated as a distressed
 20 political subdivision under IC 6-1.1-20.3.

- 21 (b) For distributions made in:
- 22 (1) calendar year 2025, and subject to subsection (c); and
- 23 (2) calendar years 2026 and 2027, and subject to subsections (c),
- 24 (h), and (i);

25 the county auditor shall distribute to each charter school that is eligible
 26 for a distribution under subsection (d), and as provided under
 27 subsection (f), an amount of revenue received from a tax levy imposed
 28 by a school corporation under this chapter that is attributable to the
 29 territory of the school corporation that is located within the boundaries
 30 of a county listed in subsection (a).

31 (c) The following schools are not eligible to receive a distribution
 32 under this section:

- 33 (1) A virtual charter school.
- 34 (2) An adult high school.

35 (d) Not later than March 1, 2025, January 1, 2026, and January 1,
 36 2027, the department, in consultation with the department of local
 37 government finance, shall determine the corresponding percentages of
 38 revenue received from the tax levy that are attributable to the territory
 39 of the school corporation that is located within the boundaries of a
 40 county listed in subsection (a) and must be distributed among the
 41 school corporation and each eligible charter school according to the
 42 following formula:

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- 1 STEP ONE: Determine each charter school that:
- 2 (A) is located in the same county as the school corporation;
- 3 and
- 4 (B) provides not more than fifty percent (50%) virtual
- 5 instruction for its students.
- 6 STEP TWO: Determine, for each charter school described in
- 7 STEP ONE, the number of students who:
- 8 (A) have legal settlement within the school corporation;
- 9 (B) are currently included in the fall ADM for the charter
- 10 school; and
- 11 (C) receive not more than fifty percent (50%) virtual
- 12 instruction.
- 13 STEP THREE: Determine the sum of:
- 14 (A) the aggregate of the STEP TWO results for all
- 15 applicable charter schools; plus
- 16 (B) the fall ADM count for the school corporation for
- 17 students receiving not more than fifty percent (50%) virtual
- 18 instruction.
- 19 STEP FOUR: For each charter school described in STEP ONE,
- 20 determine the result of:
- 21 (A) the applicable STEP TWO amount; divided by
- 22 (B) the STEP THREE amount;
- 23 expressed as a percentage.
- 24 STEP FIVE: Determine the sum of all the amounts computed
- 25 under STEP FOUR and subtract the result from one hundred
- 26 percent (100%).
- 27 (e) The department shall provide to the county auditor,
- 28 immediately after calculation under subsection (d):
- 29 (1) each charter school determined under STEP ONE of
- 30 subsection (d) and the charter school's corresponding percentage
- 31 calculated under STEP FOUR of subsection (d); and
- 32 (2) the percentage calculated under STEP FIVE of subsection (d)
- 33 for the school corporation.
- 34 (f) **Except as provided in subsection (j), and** subject to
- 35 subsection (i), the county auditor shall distribute to the school
- 36 corporation and each applicable charter school the amount determined,
- 37 for each settlement period described in IC 6-1.1-27-1, in the last STEP
- 38 of the following STEPS:
- 39 STEP ONE: For each school corporation, determine a base
- 40 property tax levy amount calculated as:
- 41 (A) the sum of the school corporation's operations fund
- 42 property tax levies that are attributable to the territory of the

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1 school corporation that is located within the boundaries of
 2 a county listed in subsection (a) and collected under this
 3 chapter for the applicable settlement period as described in
 4 IC 6-1.1-27-1 in calendar years 2021, 2022, and 2023;
 5 divided by
 6 (B) three (3).

7 STEP TWO: For each school corporation, determine an
 8 incremental property tax levy amount calculated as:
 9 (A) the school corporation's operations fund property tax
 10 levy collections that are attributable to the territory of the
 11 school corporation that is located within the boundaries of
 12 a county listed in subsection (a) for the applicable
 13 settlement period as described in IC 6-1.1-27-1 in the
 14 current calendar year; minus
 15 (B) the school corporation's base property tax levy
 16 collections determined for the applicable settlement period
 17 as described in IC 6-1.1-27-1 under STEP ONE.

18 STEP THREE: For the school corporation and each applicable
 19 charter school, determine the result of:
 20 (A) the sum of:
 21 (i) the incremental amount determined under STEP
 22 TWO; plus
 23 (ii) any distribution amount withheld under subsection
 24 (i); multiplied by
 25 (B) the following percentage:
 26 (i) In the case of an applicable charter school, the
 27 charter school's percentage under STEP FOUR of
 28 subsection (d).
 29 (ii) In the case of the school corporation, the school
 30 corporation's percentage under STEP FIVE of
 31 subsection (d).

32 (g) Before August 15, 2025, and August 15, 2026, the department
 33 shall provide to each school corporation and each eligible charter
 34 school an estimate of the amount of property tax levy revenue the
 35 school corporation and charter school are expected to receive under
 36 this section based on the most recent fall ADM count.

37 (h) This subsection applies to distributions of property tax revenue
 38 under this section in 2026 and 2027. In order to receive a distribution
 39 under this section in 2026 and 2027, the governing body of an eligible
 40 charter school shall, before October 15, 2025, and October 15, 2026,
 41 adopt a budget for the current school year. Not later than ten (10) days
 42 before its adoption, the budget must be fixed and presented to the

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1 charter board in a public meeting in the county in which the charter
 2 school is incorporated. A budget that is adopted under this subsection
 3 must be submitted to the charter authorizer for review and to the
 4 department of local government finance to be posted publicly on the
 5 computer gateway under IC 6-1.1-17-3 not later than:

- 6 (1) to receive distributions in 2026, November 1, 2025; and
- 7 (2) to receive distributions in 2027, November 1, 2026.

8 In addition to the adopted budget, the governing body of the charter
 9 school shall also submit to the charter authorizer, and to the department
 10 of local government finance to be posted publicly on the computer
 11 gateway under IC 6-1.1-17-3, the dates on which each requirement
 12 under this subsection was met and a statement from the governing body
 13 of the charter school attesting that those dates are true and accurate and
 14 that the budget was properly adopted under this subsection.

15 (i) This subsection applies to distributions of property tax revenue
 16 under this section in 2026 and 2027. If an eligible charter school does
 17 not satisfy the requirements of subsection (h) to receive distributions
 18 under this section during a calendar year, as determined by the
 19 department of local government finance, the charter school may not
 20 receive a distribution of property tax revenue in that calendar year and
 21 the county auditor shall withhold the charter school's distribution
 22 amount. The department of local government finance's determination
 23 of compliance consists only of a confirmation that the adopted budget
 24 and attestation statement are submitted not later than the applicable
 25 date under subsection (h). Any distribution amount that must be
 26 withheld from distribution to any particular charter school under this
 27 subsection in:

- 28 (1) calendar year 2026 shall be added to the incremental amount
 29 as described in STEP TWO of subsection (f) and distributed
 30 among the school corporation and remaining charter schools
 31 according to subsection (f) in calendar year 2027; and
- 32 (2) calendar year 2027 shall be added to the incremental amount
 33 as described in STEP TWO of subsection (f) and distributed
 34 among the school corporation and remaining charter schools
 35 according to subsection (f) in calendar year 2027.

36 **(j) This subsection applies only to distributions of property tax**
 37 **revenue in 2026 and to distributions of property tax revenue in**
 38 **2027 to:**

- 39 (1) a school city (as defined in IC 20-25-2-12); and
- 40 (2) a charter school that:
 - 41 (A) is located in the territory of a school city (as defined
 - 42 in IC 20-25-2-12); and

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1 **(B) would otherwise receive a share of property tax**
 2 **revenue from the school city under this section.**
 3 **Before making any distribution under subsection (f), the county**
 4 **auditor shall first distribute to the public education corporation for**
 5 **deposit in the public education corporation operations fund created**
 6 **under IC 20-25.3-6-1 an amount equal to the percentage**
 7 **determined by the Indianapolis public education corporation**
 8 **board under IC 20-25.3-4-2(b).**

9 SECTION 20. IC 20-46-8-12, AS ADDED BY P.L.68-2025,
 10 SECTION 226, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) This section applies to
 12 revenue collected after December 31, 2027, from a tax levy imposed
 13 under this chapter only if the number of students who have legal
 14 settlement in a school corporation but attend a charter school,
 15 excluding virtual charter schools and adult high schools, and receive
 16 not more than fifty percent (50%) virtual instruction, is at least the
 17 greater of:

- 18 (1) one hundred (100) students; or
- 19 (2) two percent (2%) of the school corporation's spring ADM
 20 count, excluding students who receive more than fifty percent
 21 (50%) virtual instruction.

22 (b) As used in this section, "eligible charter school" means a
 23 charter school attended by a student who:

- 24 (1) has legal settlement in a school corporation that imposes a
 25 tax levy under this chapter; and
- 26 (2) receives not more than fifty percent (50%) virtual instruction.

27 However, the term does not include a virtual charter school or an adult
 28 high school.

29 (c) The following schools are not eligible to receive, and may not
 30 be considered in a calculation made for purposes of, a distribution
 31 under this section:

- 32 (1) A virtual charter school.
- 33 (2) An adult high school.

34 (d) Beginning in calendar year 2028, and in each calendar year
 35 thereafter, and subject to subsection (j), the county auditor shall
 36 distribute to each eligible charter school in the manner provided under
 37 this section an amount of revenue received from a tax levy imposed by
 38 a school corporation under this chapter.

39 (e) For the purposes of the calculations made in this section, each
 40 eligible charter school that has entered into an agreement with a school
 41 corporation to participate as a participating innovation network charter
 42 school under IC 20-25.7-5 is considered to have an ADM that is

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1 separate from the school corporation.

2 (f) Not later than January 1, 2028, and not later than January 1 of
3 each year thereafter, the department, in consultation with the
4 department of local government finance, shall determine, for each
5 school corporation, the corresponding percentages of revenue received
6 from the tax levy that must be distributed among the school corporation
7 and each eligible charter school according to the following formula:

8 STEP ONE: Determine, for each eligible charter school, the
9 number of students who:

10 (A) have legal settlement within the school corporation;

11 (B) are currently included in the fall ADM count for the
12 charter school; and

13 (C) receive not more than fifty percent (50%) virtual
14 instruction.

15 STEP TWO: Determine the sum of:

16 (A) the aggregate of the STEP ONE results for all eligible
17 charter schools with respect to the school corporation; plus

18 (B) the fall ADM count for the school corporation for
19 students receiving not more than fifty percent (50%) virtual
20 instruction.

21 STEP THREE: For each eligible charter school, determine the
22 result of:

23 (A) the applicable STEP ONE amount; divided by

24 (B) the STEP TWO amount;

25 expressed as a percentage.

26 STEP FOUR: Determine the sum of all the amounts computed
27 under STEP THREE and subtract the result from one hundred
28 percent (100%).

29 (g) The department shall provide to the county auditor,
30 immediately after calculation under subsection (f):

31 (1) each eligible charter school and the eligible charter school's
32 corresponding percentage calculated under STEP THREE of
33 subsection (f); and

34 (2) the percentage calculated under STEP FOUR of subsection
35 (f) for the school corporation.

36 (h) **Except as provided in subsection (m), and** subject to
37 subsections (j) and (l), the county auditor shall distribute to the school
38 corporation and each eligible charter school the amount determined in
39 the last STEP of the following STEPS:

40 STEP ONE: Determine the amount collected in the most recent
41 installment period by the school corporation from the school
42 corporation's operations fund levy imposed under this chapter.

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- 1 STEP TWO: To determine the distribution for the school
 2 corporation and each eligible charter school, determine the result
 3 of:
- 4 (A) the sum of:
- 5 (i) the STEP ONE result; plus
 6 (ii) any amount withheld in the previous year under
 7 subsection (k); multiplied by
- 8 (B) the following percentage:
- 9 (i) In the case of an eligible charter school, the charter
 10 school's percentage under STEP THREE of subsection
 11 (f).
 12 (ii) In the case of the school corporation, the school
 13 corporation's percentage under STEP FOUR of
 14 subsection (f).
- 15 (i) Not later than August 15, 2027, and not later than August 15 of
 16 each calendar year thereafter, the department shall provide to each
 17 school corporation and each eligible charter school an estimate of the
 18 amount of property tax levy revenue the school corporation and eligible
 19 charter school are expected to receive under this section in the
 20 subsequent calendar year based on the most recent fall ADM count.
- 21 (j) Beginning with distributions of property tax revenue under this
 22 section in 2028 and thereafter, in order to receive a distribution under
 23 this section, the governing body of an eligible charter school shall, not
 24 later than October 15, 2027, and not later than October 15 of each
 25 calendar year thereafter, adopt a budget for the current school year. Not
 26 later than ten (10) days before its adoption, the budget must be fixed
 27 and presented to the charter board in a public meeting in the county in
 28 which the eligible charter school is incorporated. Not later than
 29 November 1, 2027, and not later than November 1 of each calendar
 30 year thereafter, the governing body of the charter school shall submit:
- 31 (1) the budget that is adopted under this subsection;
 32 (2) the dates on which each requirement under this subsection
 33 was met; and
 34 (3) a statement from the governing body of the charter school
 35 attesting that the dates provided in subdivision (2) are true and
 36 accurate and that the budget was properly adopted under this
 37 subsection;
- 38 to the charter authorizer for review and to the department of local
 39 government finance to be posted publicly on the computer gateway
 40 under IC 6-1.1-17-3.
- 41 (k) If an eligible charter school does not satisfy the requirements
 42 of subsection (j) to receive distributions under this section during a

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1 calendar year, as determined by the department of local government
 2 finance, the eligible charter school may not receive a distribution of
 3 property tax revenue in that calendar year and the county auditor shall
 4 withhold the eligible charter school's distribution amount. The
 5 department of local government finance's determination of compliance
 6 consists only of a confirmation that the adopted budget and attestation
 7 statement are submitted not later than the applicable date under
 8 subsection (j). Any distribution amount withheld under this subsection
 9 shall be:

10 (1) added to the property tax revenue collections as described in
 11 STEP TWO of subsection (h); and

12 (2) distributed among the school corporation and remaining
 13 eligible charter schools according to subsection (h);

14 in the calendar year that immediately follows the calendar year in
 15 which the distribution amount was withheld.

16 (l) This subsection applies only to distributions under subsection
 17 (h) in calendar years 2028, 2029, and 2030 to an eligible charter
 18 school. **Except as provided in subsection (m)**, instead of the amount
 19 determined under subsection (h) for a distribution to a particular
 20 eligible charter school from the revenue collected from the tax levy
 21 imposed under this chapter by a particular school corporation, the
 22 county auditor shall make distributions according to the following:

23 (1) For a distribution in 2028, the county auditor shall distribute
 24 an amount for a particular eligible charter school equal to:

25 (A) the applicable result of STEP TWO of subsection (h)
 26 for the eligible charter school; multiplied by

27 (B) twenty-five hundredths (0.25).

28 (2) For a distribution in 2029, the county auditor shall distribute
 29 an amount for a particular eligible charter school equal to:

30 (A) the applicable result of STEP TWO of subsection (h)
 31 for the eligible charter school; multiplied by

32 (B) five-tenths (0.5).

33 (3) For a distribution in 2030, the county auditor shall distribute
 34 an amount for a particular eligible charter school equal to:

35 (A) the applicable result of STEP TWO of subsection (h)
 36 for the eligible charter school; multiplied by

37 (B) seventy-five hundredths (0.75).

38 Any amount of property tax revenue collected from the tax levy
 39 imposed under this chapter by a particular school corporation that
 40 remains after making the distributions according to this subsection
 41 shall be distributed to the school corporation and are in addition to the
 42 amount distributed to the school corporation under subsection (h) for

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1 the applicable year. This subsection expires July 1, 2032.

2 **(m) This subsection applies only to distributions of revenue to:**

3 **(1) a school city (as defined in IC 20-25-2-12); and**

4 **(2) a charter school that:**

5 **(A) is located in the territory of a school city (as defined**
6 **in IC 20-25-2-12); and**

7 **(B) would otherwise receive a share of property tax**
8 **revenue from the school city under this section.**

9 **Before making any distribution under subsection (h) or (l), the**
10 **county auditor shall first distribute to the public education**
11 **corporation for deposit in the public education corporation**
12 **operations fund created under IC 20-25.3-6-1 an amount equal to**
13 **the percentage determined by the Indianapolis public corporation**
14 **board under IC 20-25.3-4-2(b).**

15 SECTION 21. IC 20-46-9-0.5 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. (a) Subject to subsection**
18 **(b), after March 31, 2026, a school city (as defined in**
19 **IC 20-25-2-12) may not exercise the powers and duties under this**
20 **chapter and instead, the public education corporation assumes the**
21 **powers and duties of the school city as set forth in IC 20-25.3-5.**

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

23 **(1) determine the amounts of revenue to be distributed to the**
24 **school city and any charter schools as provided in this**
25 **chapter; and**

26 **(2) distribute revenue collected from a levy imposed under**
27 **this chapter to the school city and any charter schools as**
28 **provided in this chapter.**

29 SECTION 22. IC 20-47-2-2.5 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE UPON PASSAGE]: **Sec. 2.5. As used in this chapter,**
32 **"corporation board" refers to the Indianapolis public education**
33 **corporation board established by IC 20-25.3-3-2.**

34 SECTION 23. IC 20-47-2-3.5 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. As used in this chapter,**
37 **"public education corporation" refers to the Indianapolis public**
38 **education corporation established by IC 20-25.3-3-1.**

39 SECTION 24. IC 20-47-2-5, AS AMENDED BY P.L.233-2015,
40 SECTION 304, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE UPON PASSAGE]: **Sec. 5. (a) A school corporation or**
42 **the public education corporation may lease a school building or**

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- 1 buildings for the use of:
- 2 (1) the school corporation **or public education corporation**; or
- 3 (2) a joint or consolidated school district of which the school
- 4 corporation is a part or to which it contributes;
- 5 for a term not to exceed thirty (30) years.
- 6 (b) A school corporation **or the public education corporation**
- 7 may not enter into a lease under this section unless the governing body
- 8 **or the corporation board**, after investigation, determines that a need
- 9 exists for the school building and that the school corporation **or public**
- 10 **education corporation** cannot provide the necessary funds to pay the
- 11 cost or its proportionate share of the cost of the school building or
- 12 buildings required to meet the present needs.
- 13 (c) If two (2) or more school corporations propose to jointly enter
- 14 into a lease under this section, joint meetings of the governing bodies
- 15 of the school corporations may be held, but action taken at a joint
- 16 meeting is not binding on any of those school corporations unless
- 17 approved by a majority of the governing body of those school
- 18 corporations. A lease executed by two (2) or more school corporations
- 19 as joint lessees must:
- 20 (1) set out the amount of the total lease rental to be paid by each
- 21 lessee, which may be as agreed upon; and
- 22 (2) provide that:
- 23 (A) there is no right of occupancy by any lessee unless the
- 24 total rental is paid as stipulated in the lease; and
- 25 (B) all rights of joint lessees under the lease are in
- 26 proportion to the amount of lease rental paid by each lessee.
- 27 SECTION 25. IC 20-47-2-6, AS ADDED BY P.L.2-2006,
- 28 SECTION 170, IS AMENDED TO READ AS FOLLOWS
- 29 [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A school corporation, ~~or~~
- 30 **school corporations, or the public education corporation** may enter
- 31 into a lease under this chapter only with a corporation organized under
- 32 Indiana law solely for the purpose of acquiring a site, erecting a
- 33 suitable school building or buildings on that site, leasing the building
- 34 or buildings to the school corporation, ~~or school~~ corporations, **or**
- 35 **public education corporation** collecting the rentals under the lease,
- 36 and applying the proceeds of the lease in the manner provided in this
- 37 chapter.
- 38 (b) A lessor corporation described in subsection (a):
- 39 (1) must, except as provided in subdivision (2), act entirely
- 40 without profit to the lessor corporation or its officers, directors,
- 41 and stockholders;
- 42 (2) is entitled to the return of capital actually invested, plus

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1 interest or dividends on outstanding securities or loans, not to
 2 exceed five percent (5%) per annum and the cost of maintaining
 3 the lessor corporation's corporate existence and keeping its
 4 property free of encumbrance; and
 5 (3) upon receipt of any amount of lease rentals exceeding the
 6 amount described in subdivision (2), apply the excess funds to
 7 the redemption and cancellation of the lessor corporation's
 8 outstanding securities or loans as soon as may be done.

9 SECTION 26. IC 20-47-2-7, AS ADDED BY P.L.2-2006,
 10 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) A lease entered into
 12 under this chapter must include the following provisions:

13 (1) An option for the school corporation, **or school** corporations,
 14 **or the public education corporation** to renew the lease for a
 15 further term on similar conditions.

16 (2) An option for the school corporation, **or school** corporations,
 17 **or public education corporation** to purchase the property
 18 covered by the lease after six (6) years from the execution of the
 19 lease and before the expiration of the term of the lease, on the
 20 date or dates in each year as may be fixed in the lease. The
 21 purchase price:

22 (A) must be equal to the amount required to enable the
 23 lessor corporation owning the property to liquidate by
 24 paying all indebtedness, with accrued and unpaid interest,
 25 redeeming and retiring any stock at par, and paying the
 26 expenses and charges of liquidation; and

27 (B) may not exceed the capital actually invested in the
 28 property by the lessor corporation represented by
 29 outstanding securities or existing indebtedness, plus the cost
 30 of transferring the property and liquidating the lessor
 31 corporation.

32 (b) A lease entered into under this chapter may not provide or be
 33 construed to provide that a school corporation **or the public education**
 34 **corporation** is under any obligation to purchase a leased school
 35 building or buildings, or under any obligation in respect to any
 36 creditors, shareholders, or other security holders of the lessor
 37 corporation.

38 SECTION 27. IC 20-47-2-10, AS ADDED BY P.L.2-2006,
 39 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE UPON PASSAGE]: Sec. 10. A school corporation, **or**
 41 **school** corporations, **or the public education corporation** may, in
 42 anticipation of the acquisition of a site and the construction and

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1 erection of a school building or buildings, enter into a lease with a
 2 lessor corporation before the actual acquisition of the site and the
 3 construction and erection of the building or buildings. However, a lease
 4 entered into under this section may not provide for the payment of any
 5 lease rental by the lessee or lessees until the building or buildings are
 6 ready for occupancy, at which time the stipulated lease rental may
 7 begin. The contractor must furnish to the lessor corporation a bond
 8 satisfactory to the lessor corporation conditioned upon the final
 9 completion of the building or buildings within the period specified in
 10 the contract.

11 SECTION 28. IC 20-47-2-11, AS ADDED BY P.L.2-2006,
 12 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) After the lessor
 14 corporation and the school corporation, **or school corporations, or the**
 15 **public education corporation** have agreed upon the terms and
 16 conditions of a lease proposed to be entered into under this chapter, and
 17 before the final execution of the lease, a notice shall be given by
 18 publication to all persons interested of a hearing or joint hearing to be
 19 held before the governing body or governing bodies of the school
 20 corporation or corporations **or the corporation board** authorized to
 21 approve the lease. The hearing must be not earlier than:

22 (1) ten (10) days after publication of the notice, if new
 23 construction is proposed; or

24 (2) thirty (30) days after publication of the notice, if
 25 improvement or expansion is proposed.

26 (b) The notice required by subsection (a) must:

27 (1) be published one (1) time in:

28 (A) a newspaper of general circulation printed in the
 29 English language in the school corporation;

30 (B) a newspaper described in clause (A) in each school
 31 corporation if the proposed lease is a joint lease; or

32 (C) if no such paper is published in the school corporation,
 33 in any newspaper of general circulation published in the
 34 county;

35 (2) name the date, time, and place of the hearing; and

36 (3) set forth a brief summary of the principal terms of the lease
 37 agreed upon, including the:

38 (A) location of the property to be leased;

39 (B) name of the proposed lessor corporation;

40 (C) character of the property to be leased;

41 (D) rental to be paid; and

42 (E) number of years the lease is to be in effect.

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1 The cost of publishing the notice shall be borne by the lessor
2 corporation.

3 (c) The proposed lease, drawings, plans, specifications, and
4 estimates for the school building or buildings must be available for
5 inspection by the public during the ten (10) day or thirty (30) day
6 period described in subsection (a) and at the hearing under section 12
7 of this chapter.

8 SECTION 29. IC 20-47-2-12, AS ADDED BY P.L.2-2006,
9 SECTION 170, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) At the hearing, all
11 interested persons have a right to be heard upon the necessity for the
12 execution of the proposed lease and whether the rental to be paid to the
13 lessor corporation under the proposed lease is a fair and reasonable
14 rental for the proposed building. The hearing may be adjourned to a
15 later date or dates.

16 (b) Within thirty (30) days following the termination of the
17 hearing, the governing body or bodies of the school corporation or
18 corporations **or the corporation board** may by a majority vote of all
19 members of the governing body or bodies **or corporation board**:

- 20 (1) authorize the execution of the proposed lease as originally
21 agreed upon; or
22 (2) make modifications to the proposed lease that are agreed
23 upon with the lessor corporation.

24 However, the lease rentals as set out in the published notice may not be
25 increased in any modifications approved under subdivision (2).

26 SECTION 30. IC 20-47-2-13, AS AMENDED BY P.L.38-2021,
27 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 UPON PASSAGE]: Sec. 13. (a) If the execution of the lease as
29 originally agreed upon or as modified by agreement is authorized by
30 the governing body or bodies of the school corporation or corporations
31 **or the corporation board**, the governing body **or corporation board**
32 shall give notice of the signing of the lease by publication one (1) time
33 in:

- 34 (1) a newspaper of general circulation printed in the English
35 language in the school corporation;
36 (2) a newspaper described in subdivision (1) in each school
37 corporation if the proposed lease is a joint lease; or
38 (3) if no such newspaper is published in the school corporation,
39 in any newspaper of general circulation published in the county.

40 (b) This subsection does not apply to a lease for which a school
41 corporation **or the public education corporation** after June 30, 2008,
42 makes a preliminary determination as described in IC 6-1.1-20-3.1 or

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1 IC 6-1.1-20-3.5 or a decision as described in IC 6-1.1-20-5, or, in the
 2 case of a lease not subject to IC 6-1.1-20-3.1, IC 6-1.1-20-3.5, or
 3 IC 6-1.1-20-5, adopts a resolution or ordinance authorizing the lease
 4 after June 30, 2008. Within thirty (30) days after the publication of
 5 notice under subsection (a), fifty (50) or more taxpayers in the school
 6 corporation or corporations who:

7 (1) will be affected by the proposed lease; and

8 (2) are of the opinion that:

9 (A) necessity does not exist for the execution of the lease;

10 or

11 (B) the proposed rental provided for in the lease is not a fair
 12 and reasonable rental;

13 may file a petition in the office of the county auditor of the county in
 14 which the school corporation or corporations are located. The petition
 15 must set forth the taxpayers' objections to the lease and facts showing
 16 that the execution of the lease is unnecessary or unwise or that the lease
 17 rental is not fair and reasonable, as the case may be.

18 (c) Upon the filing of a petition under subsection (b), the county
 19 auditor shall immediately certify a copy of the petition, together with
 20 any other data that is necessary to present the questions involved, to the
 21 department of local government finance. Upon receipt of the certified
 22 petition and data, if any, the department of local government finance
 23 shall fix a time, date, and place for the hearing of the matter, which
 24 may not be less than five (5) nor more than thirty (30) days thereafter.
 25 The department of local government finance shall:

26 (1) conduct the hearing in the school corporation or corporations,
 27 in the county where the school corporation or corporations are
 28 located, or through electronic means; and

29 (2) give notice of the hearing to the members of the governing
 30 body or bodies of the school corporation or corporations **or the**
 31 **corporation board** and to the first fifty (50) taxpayers who
 32 signed the petition under subsection (b) by a letter signed by the
 33 commissioner or deputy commissioner of the department of local
 34 government finance and enclosed with full prepaid postage
 35 addressed to the taxpayer petitioners at their usual place of
 36 residence, at least five (5) days before the hearing.

37 The decision of the department of local government finance on the
 38 appeal upon the necessity for the execution of the lease and as to
 39 whether the rental is fair and reasonable, is final.

40 SECTION 31. IC 20-47-2-14, AS AMENDED BY P.L.146-2008,
 41 SECTION 516, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE UPON PASSAGE]: Sec. 14. An action to contest the

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1 validity of the lease or to enjoin the performance of any of the terms
2 and conditions of the lease may not be instituted at any time later than:

- 3 (1) thirty (30) days after publication of notice of the execution of
4 the lease by the governing body or bodies of the school
5 corporation or corporations **or the corporation board**; or
6 (2) if an appeal is allowed under section 13 of this chapter and
7 has been taken to the department of local government finance,
8 thirty (30) days after the decision of the department of local
9 government finance.

10 SECTION 32. IC 20-47-2-15, AS ADDED BY P.L.113-2006,
11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 15. **(a) Except as provided in subsection (b),**
13 the lessor corporation shall acquire, own, and hold in fee simple the
14 land on which a school building or buildings are to be erected under
15 this chapter.

16 **(b) The lessor corporation may acquire, own, and hold in fee**
17 **simple the land by agreement and conveyance with a school**
18 **corporation or with the public education corporation subject to the**
19 **conditions of this section. The lessor corporation may lease such a**
20 **school building directly to the public education corporation or to**
21 **a school corporation. If the lessor corporation leases such a school**
22 **building to a school corporation, the school corporation may assign**
23 **or sublet its lease to the public education corporation.**

24 **(c) A school corporation or the public education corporation**
25 that proposes to lease such a school building, either alone or jointly
26 with another school corporation, and owns the land on which it desires
27 that the building or buildings be erected may sell and transfer that land
28 to the lessor corporation in fee simple, subject to the following
29 conditions:

- 30 (1) Before the sale may take place, the governing body of the
31 school corporation **or the corporation board** must file a petition
32 with the circuit court of the county in which the school
33 corporation is located, requesting the appointment of:
34 (A) one (1) disinterested freeholder of the school
35 corporation as an appraiser; and
36 (B) two (2) disinterested appraisers licensed under
37 IC 25-34.1;

38 who are residents of Indiana to determine the fair market value
39 of the land. One (1) of the appraisers described in clause (B)
40 must reside not more than fifty (50) miles from the land.

- 41 (2) Upon their appointment, the three (3) appraisers shall
42 proceed to fix the fair market value of the land and shall report

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- 1 the amount fixed to the circuit court within two (2) weeks after
2 their appointment.
- 3 (3) The school corporation **or public education corporation**
4 may sell the land to the lessor corporation for an amount not less
5 than the amount fixed as the fair market value by the three (3)
6 appraisers, which shall be paid in cash upon delivery of the deed
7 by the school corporation **or public education corporation** to
8 the lessor corporation. However, if the land was acquired by the
9 school corporation **or public education corporation** within
10 three (3) years immediately preceding the date of the filing of the
11 petition with the circuit court, the land may not be sold for an
12 amount less than the amount paid by the school corporation **or**
13 **public education corporation** for the land.
- 14 SECTION 33. IC 20-47-2-17, AS ADDED BY P.L.2-2006,
15 SECTION 170, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) As used in this section,
17 "bonds" includes bonds, debentures, or other evidences of
18 indebtedness.
- 19 (b) A lessor corporation having outstanding bonds that by their
20 terms are redeemable before their maturities may issue bonds in the
21 manner provided by section 16 of this chapter to refund the outstanding
22 bonds. The refunding bonds may be issued in an amount not exceeding
23 the sum of:
- 24 (1) the principal amount of the outstanding bonds;
25 (2) any premium required to be paid upon redemption of the
26 outstanding bonds; and
27 (3) the estimated expenses to be incurred in connection with the
28 issuance of the refunding bonds.
- 29 (c) The sum of the net interest cost to the lessor corporation of the
30 refunding bonds plus the premium required to be paid in connection
31 with the redemption of the outstanding bonds and the estimated
32 expenses to be incurred in connection with the issuance of the
33 refunding bonds may not exceed the total interest that would have been
34 payable by the lessor corporation on the bonds being refunded from the
35 date of redemption to the maturity of the bonds being refunded. Net
36 interest cost on the refunding bonds is the amount determined by
37 computing the total interest on all the refunding bonds to their
38 maturities and deducting from that amount the premium bid, if any.
- 39 (d) Refunding bonds issued under this section:
- 40 (1) are legal and proper investments;
41 (2) are exempt from taxation; and
42 (3) may be sold without registration with or approval of the

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1 securities division of the office of the secretary of state or
 2 securities commissioner;
 3 in the same manner, under the same conditions, and subject to the same
 4 limitations as any other bonds issued by lessor corporations under
 5 section 16 of this chapter. However, no proceedings or actions by the
 6 lessee nor approval by any board, commission, or agency are required
 7 in connection with the refunding, and the refunding authorized in this
 8 section does not affect the obligation of the lessee to pay the lease
 9 rental under the lease of the building or buildings.

10 (e) An action to contest the validity of refunding bonds issued
 11 under this section may not be brought after the fifteenth day following
 12 the receipt of bids for the bonds.

13 (f) In connection with the issuance of refunding bonds, the lessee
 14 school corporation, ~~or~~ school corporations, **or public education**
 15 **corporation** may enter into an amendment to the lease with the lessor
 16 corporation providing for an extension of the time set forth in the lease
 17 before the option of the lessee or lessees to purchase may be exercised
 18 to a time agreed upon between the lessee school corporation, ~~or~~ school
 19 corporations, **or public education corporation** and the lessor
 20 corporation.

21 SECTION 34. IC 20-47-2-18, AS ADDED BY P.L.2-2006,
 22 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) As used in this section,
 24 "bonds" means bonds, debentures, or other evidences of indebtedness.

25 (b) As used in this section, "improvement" or "improvements"
 26 means one (1) or more of the following:

- 27 (1) Construction of a school building.
- 28 (2) An addition to a school building owned by a lessor
 29 corporation or owned by the school corporation **or public**
 30 **education corporation** to which a lessor corporation has leased
 31 property under this chapter, and any remodeling incidental to
 32 that addition.
- 33 (3) Remodeling of or construction of appurtenances to a school
 34 building owned by a lessor corporation.

35 (c) A lessor corporation having outstanding bonds that by their
 36 terms are redeemable before their maturities may issue bonds in the
 37 manner provided under section 16 of this chapter to refund the
 38 outstanding bonds and construction of improvements.

39 (d) Refunding and improvement bonds issued under this section:

- 40 (1) are legal and proper investments;
- 41 (2) are exempt from taxation; and
- 42 (3) may be sold without registration with or approval of the

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1 securities division of the office of the secretary of state or the
 2 securities commissioner;
 3 in the same manner, under the same conditions, and subject to the same
 4 limitations as any other bonds issued by lessor corporations under
 5 section 16 of this chapter.

6 (e) In connection with the issuance of refunding and improvement
 7 bonds, the lessee school corporation, ~~or~~ school corporations, **or public**
 8 **education corporation** may enter into an amendment to the lease with
 9 the lessor corporation providing for:

10 (1) an extension of the time set forth in the lease before the
 11 option of the lessee or lessees to purchase may be exercised to a
 12 time agreed upon between the lessee school corporation, ~~or~~
 13 school corporations, **or public education corporation** and the
 14 lessor corporation;

15 (2) an extension of the term of the lease, not to exceed ten (10)
 16 years, to include the improvements in the description of the
 17 leased property; and

18 (3) increased lease rental payments after the completion of the
 19 improvements.

20 (f) No proceedings or actions by the lessee nor approval by any
 21 board, commission, or agency are required in connection with a
 22 refunding under this section, and the refunding does not affect the
 23 obligation of the lessee to pay the lease rental under the lease of the
 24 building or buildings. However, all provisions, restrictions, and
 25 limitations of this chapter that are not inconsistent with this section,
 26 including the petition of school patrons, notice of hearing, hearing,
 27 notice of execution, and right to file an objecting petition, apply to an
 28 amendment of the lease increasing the lease rental payments as if the
 29 amendment were an original lease.

30 (g) An action to contest the validity of refunding and improvement
 31 bonds issued under this section may not be brought after the fifteenth
 32 day following the receipt of bids for the bonds.

33 SECTION 35. IC 20-47-2-19, AS ADDED BY P.L.2-2006,
 34 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 19. A school corporation **or the**
 36 **public education corporation** that decides to exercise an option to
 37 purchase a school building under this chapter may issue general
 38 obligation bonds to procure funds to pay the cost of acquisition.
 39 General obligation bonds issued under this section must be authorized,
 40 issued, and sold in the manner provided for the authorization, issuance,
 41 and sale of bonds by school corporations **or the public education**
 42 **corporation** for school building purposes.

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1 SECTION 36. IC 20-47-2-20, AS AMENDED BY P.L.244-2017,
 2 SECTION 108, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE UPON PASSAGE]: Sec. 20. A school corporation **or the**
 4 **public education corporation** that executes a lease under this chapter
 5 shall annually appropriate from its debt service fund or ~~general fund~~
 6 ~~(before January 1, 2019)~~ or operations fund ~~(after December 31, 2018)~~
 7 an amount sufficient to pay the lease rental required under the lease.
 8 The appropriation is reviewable by other bodies vested by law with
 9 such authority to ascertain that the specified amount is sufficient to
 10 meet the lease rental required under the lease. The first specific
 11 appropriation shall be made at the first budget period following the
 12 date of the execution of the lease, and the first annual appropriation
 13 must be sufficient to pay the estimated amount of the first annual lease
 14 rental payment to be made under the lease. Thereafter, the annual
 15 appropriations provided for in this section shall be made, and payments
 16 shall be made from the debt service fund.

17 SECTION 37. IC 20-47-2-21, AS AMENDED BY P.L.79-2017,
 18 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 UPON PASSAGE]: Sec. 21. Property owned by a lessor corporation
 20 entering into a lease with a school corporation, ~~or school~~ corporations,
 21 **or the public education school corporation** under this chapter, and
 22 all stock and other securities (including the interest or dividends)
 23 issued by a lessor corporation, are exempt from all state, county, and
 24 other taxes, except the financial institutions tax (IC 6-5.5).

25 SECTION 38. IC 20-47-2-22, AS ADDED BY P.L.2-2006,
 26 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE UPON PASSAGE]: Sec. 22. This chapter shall be
 28 construed as being supplemental to all other laws covering the
 29 acquisition, use, and maintenance of school buildings by school
 30 corporations **or the public education corporation**. However, as to
 31 school buildings constructed, acquired, leased, or purchased under this
 32 chapter, it is not necessary to comply with other laws concerning the
 33 acquisition, use, and maintenance of school buildings by school
 34 corporations **or the public education corporation** except as
 35 specifically required in this chapter.

36 SECTION 39. IC 20-47-2-23, AS AMENDED BY P.L.244-2017,
 37 SECTION 109, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) Upon the termination of
 39 a lease entered into under this chapter, the lessor corporation shall
 40 return to the school corporation **or the public education corporation**
 41 any money held by the lessor corporation that exceeds the amount
 42 needed to retire bonds issued under this chapter and to dissolve the

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1 lessor corporation.

2 (b) A school corporation **or the public education corporation**
3 shall deposit the money received under subsection (a) in its debt
4 service fund or operations fund.

5 SECTION 40. IC 20-47-3-1.3 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE UPON PASSAGE]: **Sec. 1.3. As used in this chapter,**
8 **"corporation board" refers to the Indianapolis public education**
9 **corporation board established by IC 20-25.3-3-2.**

10 SECTION 41. IC 20-47-3-1.5 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. As used in this chapter,**
13 **"public education corporation" refers to the Indianapolis public**
14 **education corporation established by IC 20-25.3-3-1.**

15 SECTION 42. IC 20-47-3-3, AS AMENDED BY P.L.233-2015,
16 SECTION 305, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE UPON PASSAGE]: **Sec. 3. (a) A school corporation or**
18 **the public education corporation** may lease a school building or
19 buildings for the use of:

20 (1) the school corporation **or public education corporation;** or
21 (2) a joint or consolidated school district of which the school
22 corporation is a part or to which it contributes;
23 for a term not to exceed fifty (50) years.

24 (b) A school corporation **or the public education corporation**
25 may not enter into a lease under this section unless the governing body
26 **or corporation board,** after investigation, determines that a need
27 exists for the school building.

28 (c) If two (2) or more school corporations propose to jointly enter
29 into a lease under this section, joint meetings of the governing bodies
30 of the school corporations may be held, but action taken at a joint
31 meeting is not binding on any of those school corporations unless
32 approved by a majority of the governing body of each of those school
33 corporations. A lease executed by two (2) or more school corporations
34 as joint lessees must:

35 (1) set out the amount of the total lease rental to be paid by each
36 lessee, which may be as agreed upon; and

37 (2) provide that:

38 (A) there is no right of occupancy by any lessee unless the
39 total rental is paid as stipulated in the lease; and

40 (B) all rights of joint lessees under the lease are in
41 proportion to the amount of lease rental paid by each lessee.

42 SECTION 43. IC 20-47-3-4, AS ADDED BY P.L.2-2006,

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1 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE UPON PASSAGE]: Sec. 4. A school corporation, ~~or~~
 3 **school** corporations, **or the public education corporation** may enter
 4 into a lease or lease with option to purchase under this chapter only
 5 with:

6 (1) a corporation organized under Indiana law or admitted to do
 7 business in Indiana; or

8 (2) a religious organization (or the organization's agent) that is
 9 exempt from federal income taxation under Section 501 of the
 10 Internal Revenue Code.

11 SECTION 44. IC 20-47-3-5, AS AMENDED BY P.L.146-2008,
 12 SECTION 517, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in
 14 subsections (d) and (e), a lease must provide that the school
 15 corporation, ~~or school~~ corporations, **or the public education**
 16 **corporation** have an option to:

17 (1) renew the lease for a further term on like conditions; and

18 (2) purchase the property covered by the lease;

19 with the terms and conditions of the purchase to be specified in the
 20 lease, subject to the approval of the department of local government
 21 finance.

22 (b) If the option to purchase the property covered by the lease is
 23 exercised, the school corporation, ~~or school~~ corporations, **or public**
 24 **education corporation** to procure funds to pay the purchase price, may
 25 issue and sell bonds under the provisions of the general statute
 26 governing the issue and sale of bonds of the school corporation, ~~or~~
 27 **school** corporations, **or public education corporation**. The purchase
 28 price may not be more than the purchase price set forth in the lease
 29 plus:

30 (1) two percent (2%) of the purchase price as prepayment
 31 penalty for purchase within the first five (5) years of the lease
 32 term; or

33 (2) one percent (1%) of the purchase price as prepayment
 34 penalty for purchase in the second five (5) years of the lease
 35 term;

36 and thereafter the purchase shall be without prepayment penalty.

37 (c) However:

38 (1) if the school corporation, ~~or school~~ corporations, **or the**
 39 **public education corporation** have not exercised an option to
 40 purchase the property covered by the lease at the expiration of
 41 the lease; and

42 (2) upon the full discharge and performance by the school

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1 corporation, **or school** corporations, **or public education**
 2 **corporation** of their obligations under the lease;
 3 the property covered by the lease becomes the absolute property of the
 4 school corporation, **or school** corporations, **or public education**
 5 **corporation**, and the lessor corporation shall execute proper
 6 instruments conveying to the school corporation, **or school**
 7 corporations, **or public education corporation** good and merchantable
 8 title to that property.

9 (d) The following provisions apply to a school corporation that is
 10 located in Dubois County and enters into a lease with a religious
 11 organization or the organization's agent as authorized under section 4
 12 of this chapter:

13 (1) The lease is not required to include on behalf of the school
 14 corporation an option to purchase the property covered by the
 15 lease.

16 (2) The lease must include an option to renew the lease.

17 (3) The property covered by the lease is not required to become
 18 the absolute property of the school corporation as provided in
 19 subsection (c).

20 (e) In the case of a lease for which a school corporation **or the**
 21 **public education corporation**:

22 (1) after June 30, 2008, makes a preliminary determination as
 23 described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as
 24 described in IC 6-1.1-20-5; or

25 (2) in the case of a lease not subject to IC 6-1.1-20-3.1,
 26 IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or
 27 ordinance authorizing the lease after June 30, 2008;

28 the terms and conditions of the purchase that are specified in the lease
 29 are not subject to the approval of the department of local government
 30 finance.

31 SECTION 45. IC 20-47-3-8, AS AMENDED BY P.L.146-2008,
 32 SECTION 518, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Except as provided in
 34 subsection (b), a school corporation, **or school** corporations, **or the**
 35 **public education corporation** may, in anticipation of the acquisition
 36 of a site and the construction and erection of a school building or
 37 buildings, and, subject to the approval of the department of local
 38 government finance, enter into a lease with a lessor corporation before
 39 the actual acquisition of the site and the construction and erection of
 40 the building or buildings. However, the lease entered into by the school
 41 corporation, **or school** corporations, **or public education corporation**
 42 may not provide for the payment of any lease rental by the lessee or

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1 lessees until the building or buildings are ready for occupancy, at
 2 which time the stipulated lease rental may begin. The lessor
 3 corporation shall furnish a bond to the approval of the lessee or lessees
 4 conditioned on the final completion of the building or buildings within
 5 a period not to exceed one (1) year from the date of the execution of the
 6 lease, unavoidable delays excepted.

7 (b) In the case of a lease for which a school corporation **or the**
 8 **public education corporation:**

9 (1) after June 30, 2008, makes a preliminary determination as
 10 described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as
 11 described in IC 6-1.1-20-5; or

12 (2) in the case of a lease not subject to IC 6-1.1-20-3.1,
 13 IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or
 14 ordinance authorizing the lease after June 30, 2008;

15 the approval of the department of local government finance is not
 16 required.

17 SECTION 46. IC 20-47-3-9, AS ADDED BY P.L.2-2006,
 18 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) After the lessor
 20 corporation and the school corporation, **or school** corporations, **or**
 21 **public education corporation** have agreed upon the terms and
 22 conditions of a lease proposed to be entered into under this chapter, and
 23 before the final execution of the lease, a notice shall be given by
 24 publication to all persons interested of a hearing or joint hearing to be
 25 held before the governing body or governing bodies of the school
 26 corporations **or the corporation board** authorized to approve the
 27 lease. The hearing must be not earlier than:

28 (1) ten (10) days after publication of the notice, if new
 29 construction is proposed; or

30 (2) thirty (30) days after publication of the notice, if
 31 improvement or expansion is proposed.

32 (b) The notice required by subsection (a) must:

33 (1) be published one (1) time in:

34 (A) a newspaper of general circulation printed in the
 35 English language in the school corporation;

36 (B) a newspaper described in clause (A) in each school
 37 corporation if the proposed lease is a joint lease; or

38 (C) if no such paper is published in the school corporation,
 39 in any newspaper of general circulation published in the
 40 county;

41 (2) name the date, time, and place of the hearing; and

42 (3) set forth a brief summary of the principal terms of the lease

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- 1 agreed upon, including the:
- 2 (A) location of the property to be leased;
- 3 (B) name of the proposed lessor corporation;
- 4 (C) character of the property to be leased;
- 5 (D) rental to be paid; and
- 6 (E) number of years the lease is to be in effect.

7 The cost of publication of the notice shall be paid by the lessor
8 corporation.

9 (c) The proposed lease, drawings, plans, specifications, and
10 estimates for the school building or buildings must be available for
11 inspection by the public during the ten (10) day or thirty (30) day
12 period described in subsection (a) and at the hearing under section 10
13 of this chapter.

14 SECTION 47. IC 20-47-3-10, AS ADDED BY P.L.2-2006,
15 SECTION 170, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) At the hearing, all
17 interested persons have a right to be heard upon the necessity for the
18 execution of the proposed lease and whether the rental to be paid to the
19 lessor corporation under the proposed lease is a fair and reasonable
20 rental for the proposed building. The hearing may be adjourned to a
21 later date or dates.

22 (b) Not later than thirty (30) days following the termination of the
23 hearing, the governing body or bodies of the school corporation or
24 corporations **or the corporation board** may by a majority vote of all
25 members of the governing body or bodies **or the corporation board**:

- 26 (1) authorize the execution of the lease as originally agreed
27 upon; or
- 28 (2) make modifications to the proposed lease as agreed upon
29 with the lessor corporation.

30 However, the lease rentals as set out in the published notice may not be
31 increased.

32 SECTION 48. IC 20-47-3-11, AS AMENDED BY P.L.38-2021,
33 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 UPON PASSAGE]: Sec. 11. (a) If the execution of the lease as
35 originally agreed upon or as modified by agreement is authorized by
36 the governing body or bodies of the school corporation or corporations
37 **or the corporation board**, the governing body **or corporation board**
38 shall give notice of the signing of the lease by publication one (1) time
39 in:

- 40 (1) a newspaper of general circulation printed in the English
41 language in the school corporation;
- 42 (2) a newspaper described in subdivision (1) in each school

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- 1 corporation if the proposed lease is a joint lease; or
 2 (3) if no such newspaper is published in the school corporation,
 3 in any newspaper of general circulation published in the county.
 4 (b) This subsection does not apply to leases for which a school
 5 corporation **or the public education corporation** after June 30, 2008,
 6 makes a preliminary determination as described in IC 6-1.1-20-3.1 or
 7 IC 6-1.1-20-3.5 or a decision as described in IC 6-1.1-20-5, or, in the
 8 case of leases not subject to IC 6-1.1-20-3.1, IC 6-1.1-20-3.5, or
 9 IC 6-1.1-20-5, adopts a resolution or ordinance authorizing the lease
 10 after June 30, 2008. Within thirty (30) days after the publication of
 11 notice under subsection (a), ten (10) or more taxpayers in the school
 12 corporation or corporations who:
 13 (1) will be affected by the proposed lease; and
 14 (2) are of the opinion that:
 15 (A) no necessity exists for the execution of the lease; or
 16 (B) the proposed rental provided for in the lease is not a fair
 17 and reasonable rental;
 18 may file a petition in the office of the county auditor of the county in
 19 which the school corporation or corporations are located. The petition
 20 must set forth the taxpayers' objections to the lease and facts showing
 21 that the execution of the lease is unnecessary or unwise, or that the
 22 lease rental is not fair and reasonable, as the case may be.
 23 (c) Upon the filing of a petition under subsection (b), the county
 24 auditor shall immediately certify a copy of the petition and any other
 25 data that is necessary to present the questions involved to the
 26 department of local government finance. Upon receipt of the certified
 27 petition and data, if any, the department of local government finance
 28 shall fix a date, time, and place for the hearing of the matter, which
 29 may not be less than five (5) nor more than thirty (30) days after receipt
 30 of the petition and data, if any. The department of local government
 31 finance shall:
 32 (1) conduct the hearing in the school corporation or corporations,
 33 in the county where the school corporation or corporations are
 34 located, or through electronic means; and
 35 (2) give notice of the hearing to the members of the governing
 36 body or bodies of the school corporation or corporations **or the**
 37 **corporation board** and to the first ten (10) taxpayer petitioners
 38 upon the petition by a letter signed by the commissioner or
 39 deputy commissioner of the department of local government
 40 finance, and enclosed with full prepaid postage addressed to the
 41 taxpayer petitioners at their usual place of residence, at least five
 42 (5) days before the hearing.

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1 The decision of the department of local government finance on the
 2 appeal upon the necessity for the execution of the lease, and as to
 3 whether the rental is fair and reasonable, is final.

4 SECTION 49. IC 20-47-3-12, AS AMENDED BY P.L.146-2008,
 5 SECTION 520, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE UPON PASSAGE]: Sec. 12. An action to contest the
 7 validity of the lease or to enjoin the performance of any of the terms
 8 and conditions of the lease may not be instituted at any time later than:

9 (1) thirty (30) days after publication of notice of the execution of
 10 the lease by the governing body or bodies of the school
 11 corporation or corporations **or the corporation board;** or

12 (2) if an appeal is allowed under section 11 of this chapter and
 13 has been taken to the department of local government finance,
 14 thirty (30) days after the decision of the department of local
 15 government finance.

16 SECTION 50. IC 20-47-3-13, AS AMENDED BY P.L.113-2006,
 17 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 13. **(a) Except as provided in subsection (b),**
 19 the lessor corporation shall acquire, own, and hold in fee simple the
 20 land on which a school building or buildings are to be erected under
 21 this chapter.

22 **(b) The lessor corporation may acquire, own, and hold in fee**
 23 **simple the land by agreement and conveyance with a school**
 24 **corporation or with the public education corporation subject to the**
 25 **conditions of this section. The lessor corporation may lease such a**
 26 **school building directly to the public education corporation or to**
 27 **a school corporation. If the lessor corporation leases such a school**
 28 **building to a school corporation, the school corporation may assign**
 29 **or sublet its lease to the public education corporation.**

30 **(c) A school corporation or the public education corporation**
 31 **that proposes to lease a school building, either alone or jointly with**
 32 **another school corporation, and owns the land on which it desires to be**
 33 **erected the building or buildings may sell and transfer that land to the**
 34 **lessor corporation in fee simple, subject to the following conditions:**

35 (1) Before the sale may take place, the governing body of the
 36 school corporation **or the corporation board** must file a petition
 37 with the circuit court of the county in which the school
 38 corporation is located, requesting the appointment of:

39 (A) one (1) disinterested freeholder of the school
 40 corporation as an appraiser; and

41 (B) two (2) disinterested appraisers licensed under
 42 IC 25-34.1;

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1 who are residents of Indiana to determine the fair market value
 2 of the land. One (1) of the appraisers described in clause (B)
 3 must reside not more than fifty (50) miles from the land.

4 (2) Upon appointment, the three (3) appraisers shall proceed to
 5 fix the fair market value of the land and shall report the amount
 6 fixed to the circuit court within two (2) weeks after the
 7 appointment.

8 (3) The school corporation **or the public education corporation**
 9 may sell the land to the lessor corporation for an amount not less
 10 than the amount fixed by the three (3) appraisers as the fair
 11 market value, which shall be paid in cash upon delivery of the
 12 deed by the school corporation **or the public education**
 13 **corporation** to the lessor corporation. However, if the land was
 14 acquired by the school corporation **or public education**
 15 **corporation** within three (3) years immediately preceding the
 16 date of the filing of the petition with the circuit court, the land
 17 may not be sold for an amount less than the amount paid by the
 18 school corporation **or public education corporation** for the
 19 land.

20 SECTION 51. IC 20-47-3-14, AS ADDED BY P.L.2-2006,
 21 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE UPON PASSAGE]: Sec. 14. A school corporation **or the**
 23 **public education corporation** that executes a lease under this chapter
 24 shall annually appropriate and pay out of the debt service fund an
 25 amount sufficient to pay the lease rental required under the lease. The
 26 appropriation and rate are reviewable by other bodies vested by law
 27 with the authority to determine that the levy is sufficient to raise the
 28 amount required to meet the rental required under the lease.

29 SECTION 52. IC 20-47-3-15, AS ADDED BY P.L.2-2006,
 30 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE UPON PASSAGE]: Sec. 15. School buildings leased by
 32 a lessor corporation entering into a lease with a school corporation, **or**
 33 **school corporations, or the public education corporation** under this
 34 chapter are exempt from all state, county, and other taxes. However,
 35 the rental payments to a lessor corporation under the terms of such a
 36 lease are subject to all applicable taxes under Indiana law.

37 SECTION 53. IC 20-47-3-16, AS ADDED BY P.L.2-2006,
 38 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE UPON PASSAGE]: Sec. 16. This chapter shall be
 40 construed as being supplemental to all other laws covering the
 41 acquisition, use, and maintenance of school buildings by school
 42 corporations **or the public education corporation.** However, as to

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1 school buildings constructed or leased under this chapter, it is not
 2 necessary to comply with the provisions of other laws concerning the
 3 acquisition, use, and maintenance of school buildings by school
 4 corporations **or the public education corporation** except as
 5 specifically required in this chapter.

6 SECTION 54. IC 20-47-3-18, AS AMENDED BY P.L.244-2017,
 7 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) Upon the termination of
 9 a lease entered into under this chapter, the lessor corporation shall
 10 return to the school corporation **or public education corporation** any
 11 money held by the lessor corporation that exceeds the amount needed
 12 to retire bonds issued under this chapter and to dissolve the lessor
 13 corporation.

14 (b) A school corporation **or the public education corporation**
 15 shall deposit the money received under subsection (a) in its debt
 16 service fund or its operations fund.

17 SECTION 55. IC 20-47-4-1, AS ADDED BY P.L.2-2006,
 18 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter applies to the
 20 lease by a school corporation **or the public education corporation** of
 21 an existing school building or improved school building under
 22 IC 20-47-2 or IC 20-47-3.

23 SECTION 56. IC 20-47-4-3.5 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 3.5. **As used in this chapter,**
 26 **"public education corporation" refers to the Indianapolis public**
 27 **education corporation established by IC 20-25.3-3-1.**

28 SECTION 57. IC 20-47-4-5, AS ADDED BY P.L.2-2006,
 29 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE UPON PASSAGE]: Sec. 5. A lessor corporation
 31 qualified or formed to acquire a site, erect a school building on the site,
 32 and lease the school building to a school corporation **or the public**
 33 **education corporation** under IC 20-47-2 or IC 20-47-3 may:

- 34 (1) be qualified or formed to acquire, improve, or expand an
 35 existing school building;
- 36 (2) acquire, improve, or expand an existing school building;
- 37 (3) finance an existing school building or improved school
 38 building; and
- 39 (4) lease an existing school building or improved school building
 40 to a school corporation **or the public education corporation**
 41 under applicable law.

42 SECTION 58. IC 20-47-4-6, AS AMENDED BY P.L.146-2008,

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1 SECTION 521, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A lessor corporation may
 3 acquire and finance an existing school building, other than as provided
 4 in section 5 of this chapter, and lease the existing school building to a
 5 school corporation **or the public education corporation**. A school
 6 corporation **or the public education corporation** shall comply with:

- 7 (1) IC 20-47-2 or IC 20-47-3;
 8 (2) the petition and remonstrance provisions under IC 6-1.1-20
 9 (if required); and
 10 (3) the local public question provisions under IC 6-1.1-20 (if
 11 required).

12 (b) A lease made under this section may provide for the payment
 13 of lease rentals by the school corporation **or public education**
 14 **corporation** for the use of the existing school building.

15 (c) Lease rental payments made under the lease do not constitute
 16 a debt of the school corporation **or public education corporation** for
 17 purposes of the Constitution of the State of Indiana.

18 (d) A new school building may be substituted for the existing
 19 school building under the lease if the substitution was included in the
 20 notices given under IC 20-47-2, IC 20-47-3, and IC 6-1.1-20. A new
 21 school building must be substituted for the existing school building
 22 upon completion of the new school building.

23 SECTION 59. IC 20-47-4-7, AS ADDED BY P.L.2-2006,
 24 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 7. A school corporation **or the**
 26 **public education corporation** may not pay a legal or other
 27 professional fee as the result of an exchange or a substitution under
 28 section 5 or 6 of this chapter.

29 SECTION 60. IC 20-47-4-8, AS ADDED BY P.L.2-2006,
 30 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Except as provided in
 32 subsection (b), the lease or contract of lease of an existing school
 33 building or improved school building to a school corporation **or the**
 34 **public education corporation** as authorized by this chapter must
 35 comply with all applicable terms of IC 20-47-2 or IC 20-47-3,
 36 including:

- 37 (1) the notice of hearing on the lease;
 38 (2) public hearing;
 39 (3) notice of execution of lease; and
 40 (4) the submission of plans and specifications for the
 41 improvement or expansion of the existing school building for
 42 approval by the state agencies designated in IC 20-47-2 or

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1 IC 20-47-3 or otherwise required by law or rule.
2 (b) If a school corporation **or the public education corporation**
3 is occupying and using an existing school building during the
4 renovation, remodeling, or expansion of the building, the lease or
5 contract of lease may provide for the payment of lease rental by the
6 school corporation **or public education corporation** for the use of the
7 building during renovation, remodeling, or expansion.

8 SECTION 61. IC 20-47-4-9, AS ADDED BY P.L.2-2006,
9 SECTION 170, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE UPON PASSAGE]: Sec. 9. The sale price of an existing
11 school building must be determined under the provisions of IC 20-47-2
12 or IC 20-47-3 relating to the sale of land to a lessor corporation. Except
13 as provided in this section, IC 20-26-7 and any other law relating to the
14 sale of the property of school corporations **or the public education**
15 **corporation** or other public property do not apply to the sale of an
16 existing school building to a lessor corporation under this chapter.

17 SECTION 62. IC 20-47-4-10, AS AMENDED BY P.L.244-2017,
18 SECTION 111, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE UPON PASSAGE]: Sec. 10. A school corporation **or the**
20 **public education corporation** that sells an existing school building
21 under section 6 of this chapter shall deposit the proceeds of the sale in
22 the school corporation's **or the public education corporation's**
23 operations fund and use the proceeds only for:

- 24 (1) new construction of school buildings;
- 25 (2) related site acquisition; and
- 26 (3) related site development.

27 However, any amount of the proceeds of the sale that are not used for
28 a purpose described in subdivisions (1) through (3) within one (1) year
29 after the school corporation **or public education corporation** receives
30 the proceeds must be transferred to the school corporation's **or public**
31 **education corporation's** debt service fund.

32 SECTION 63. IC 20-48-1-11, AS AMENDED BY P.L.9-2024,
33 SECTION 403, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) ~~As used in this section;~~

35 **The following definitions apply throughout this section:**

36 (1) "Debt service obligations" refers to the principal and interest
37 payable:

- 38 (†) (A) on a school corporation's general obligation bonds
39 and lease rentals under IC 20-47-2 and IC 20-47-3; or
- 40 (‡) (B) to a school corporation's designated paying agent
41 under a written agreement entered into in connection with
42 the issuance of the school corporation's general obligation

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bonds.

(2) Beginning April 1, 2026, and ending June 30, 2027, and subject to subsection (f), "school corporation" means the following:

(A) A school corporation (as defined in IC 20-18-2-16(a)).

(B) The Indianapolis public education corporation established by IC 20-25.3-3-1.

This subdivision expires July 1, 2027.

(b) Before the end of each calendar year, the department of local government finance shall review the bond and lease rental levies, or any levies that replace bond and lease rental levies, of each school corporation that are payable in the next succeeding calendar year and the appropriations from the levies from which the school corporation is to pay the amount, if any, of the school corporation's debt service obligations for that next succeeding calendar year. If the levies and appropriations of the school corporation are not sufficient to pay the debt service obligations for the next succeeding calendar year, the department of local government finance shall establish for each school corporation:

(1) bond or lease rental levies, or any levies that replace the bond and lease rental levies; and

(2) appropriations;

that are sufficient to pay the debt service obligations for that next succeeding calendar year.

(c) Upon the failure of a school corporation to pay any of the school corporation's debt service obligations when due, the treasurer of state, upon being notified of the failure by a claimant, shall within five (5) days, excluding Saturdays, Sundays, and legal holidays, pay the unpaid debt service obligations that are due from the funds of the state in an amount equal to the amount of the unpaid debt service obligations that are due to the claimant, but only to the extent that amounts described in subsection (d) are available to the treasurer of state to fulfill the requirements of this subsection. Notwithstanding IC 4-13-2-18, IC 20-43-2-1, or any other law, administrative rule, policy, or schedule to the contrary, upon the treasurer of state receiving a request from a claimant as described in this subsection the treasurer of state shall immediately contact the school corporation and the claimant to confirm whether the school corporation is unable to make the required payment on the date on which it is due, and, if confirmed, the treasurer of state shall provide notice of the request to the budget director, the state comptroller, and any department or agency of the

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1 state responsible for distributing funds appropriated by the general
 2 assembly for distribution to the school corporation from state funds. A
 3 department or agency of the state shall, not later than three (3) days
 4 after receiving the treasurer of state's notice, excluding Saturdays,
 5 Sundays, or legal holidays, transfer the funds and make the funds
 6 available to the treasurer of state in order for the treasurer of state to
 7 fulfill the obligations of this subsection.

8 (d) Notwithstanding any other law to the contrary, amounts made
 9 available to the treasurer of state for purposes of subsection (c) shall be
 10 made from the following sources, in the following amounts, and in the
 11 following order of priority:

12 (1) First, from amounts appropriated by the general assembly for
 13 the state fiscal year for distribution to the school corporation
 14 from state funds.

15 (2) Second, and to the extent that the amounts described in
 16 subdivision (1) are insufficient, from any remaining amounts
 17 appropriated by the general assembly for distribution for tuition
 18 support in each state fiscal year in excess of the aggregate
 19 amount of tuition support needed for distribution to school
 20 corporations in accordance with the schedule set and approved
 21 in accordance with IC 20-43-2-1.

22 (3) Third, and to the extent that the amounts described in
 23 subdivisions (1) and (2) are insufficient and the general
 24 assembly has adopted a biennial budget appropriating amounts
 25 in the immediately succeeding state fiscal year for distribution
 26 to the school corporation from state funds, then from such fund
 27 or account, as determined by the state budget director, from
 28 which fund or account there is appropriated to the treasurer of
 29 state in the current state fiscal year an amount equal to the lesser
 30 of:

31 (A) the unpaid debt service obligations not paid from
 32 sources described in subdivisions (1) and (2); or

33 (B) the amount appropriated by the general assembly for the
 34 immediately succeeding state fiscal year for distribution to
 35 the school corporation from state funds, subject to
 36 IC 4-13-2-18(i).

37 (e) Notwithstanding any other law to the contrary, if any amounts
 38 are transferred to the treasurer of state under subsection (c), the
 39 applicable department or agency shall recover those amounts by:

40 (1) deducting an amount equal to the transfer from any future
 41 amounts to be distributed to the school corporation from state
 42 funds appropriated by the general assembly; and

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1 (2) transferring any amount deducted under subdivision (1) to
2 the treasurer of state for the purpose of allowing the treasurer of
3 state to reimburse the fund or account from which the transfer
4 was made.

5 (f) A reduction of distributions to a school corporation under
6 subsection (e) must be made:

7 (1) first, from all funds except state tuition support; and

8 (2) second, from state tuition support.

9 (g) This section shall be interpreted liberally so that the state shall
10 to the extent legally valid ensure that the debt service obligations of
11 each school corporation are paid. However, this section does not create
12 a debt of the state.

13 **(h) Notwithstanding subsections (e) and (f), beginning April 1,**
14 **2026, and ending June 30, 2027, the reduction of distributions**
15 **under subsections (e) and (f) to pay for debt service obligations**
16 **issued by the Indianapolis public education corporation must be**
17 **made from the reduction of distributions to the school city (as**
18 **defined in IC 20-25-2-12). This subsection expires July 1, 2027.**

19 SECTION 64. IC 20-48-3-0.5 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. After March 31, 2026, the**
22 **public education corporation may exercise the same powers, duties,**
23 **and responsibilities granted to the school city under this chapter as**
24 **set forth in IC 20-25.3.**

25 SECTION 65. IC 36-3-6-9, AS AMENDED BY P.L.137-2012,
26 SECTION 118, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) This section does not**
28 **apply to the Indianapolis public education corporation established**
29 **by IC 20-25.3-3-1.**

30 **(b) Except as provided in subsection ~~(d)~~, (e), the city-county**
31 **legislative body shall review the proposed operating and maintenance**
32 **budgets and tax levies and adopt final operating and maintenance**
33 **budgets and tax levies for each of the following entities in the county:**

34 (1) An airport authority operating under IC 8-22-3.

35 (2) A public library operating under IC 36-12.

36 (3) A capital improvement board of managers operating under
37 IC 36-10.

38 (4) A public transportation corporation operating under
39 IC 36-9-4.

40 (5) A health and hospital corporation established under
41 IC 16-22-8.

42 (6) Any other taxing unit (as defined in IC 6-1.1-1-21) that is

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1 located in the county and has a governing body that is not
 2 comprised of a majority of officials who are elected to serve on
 3 the governing body.

4 Except as provided in subsection ~~(e)~~; **(d)**, the city-county legislative
 5 body may reduce or modify but not increase a proposed operating and
 6 maintenance budget or tax levy under this section.

7 ~~(b)~~ **(c)** The board of each entity listed in subsection ~~(a)~~ **(b)** shall,
 8 after adoption of its proposed budget and tax levies, submit them, along
 9 with detailed accounts, to the city clerk before September 2.

10 ~~(e)~~ **(d)** The city-county legislative body or, when subsection ~~(d)~~ **(e)**
 11 applies, the fiscal body of an excluded city or town shall review the
 12 issuance of bonds of an entity listed in subsection ~~(a)~~; **(b)**. Approval of
 13 the city-county legislative body or, when subsection ~~(d)~~ **(e)** applies, the
 14 fiscal body of an excluded city or town is required for the issuance of
 15 bonds. The city-county legislative body or the fiscal body of an
 16 excluded city or town may not reduce or modify a budget or tax levy of
 17 an entity listed in subsection ~~(a)~~ **(b)** in a manner that would:

18 (1) limit or restrict the rights vested in the entity to fulfill the
 19 terms of any agreement made with the holders of the entity's
 20 bonds; or

21 (2) in any way impair the rights or remedies of the holders of the
 22 entity's bonds.

23 ~~(d)~~ **(e)** If the assessed valuation of a taxing unit is entirely
 24 contained within an excluded city or town (as described in IC 36-3-1-7)
 25 that is located in a county having a consolidated city, the governing
 26 body of the taxing unit shall submit its proposed operating and
 27 maintenance budget and tax levies to the city or town fiscal body for
 28 approval and not the city-county legislative body. Except as provided
 29 in subsection ~~(e)~~; **(d)**, the fiscal body of the excluded city or town may
 30 reduce or modify but not increase a proposed operating and
 31 maintenance budget or tax levy under this section.

32 SECTION 66. **An emergency is declared for this act.**

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