

PROPOSED AMENDMENT

SB 366 # 6

DIGEST

Supplies and materials. Permits the governing body of a school corporation or an organizer of a charter school to assess and collect a reasonable fee for certain supplies and materials. Makes conforming changes.

1 Page 19, between lines 17 and 18, begin a new paragraph and insert:
2 "SECTION 1. IC 20-26-12-1, AS AMENDED BY P.L.93-2024,
3 SECTION 141, AND AS AMENDED BY P.L.136-2024, SECTION
4 41, AND AS AMENDED BY THE TECHNICAL CORRECTIONS
5 BILL OF THE 2025 GENERAL ASSEMBLY, IS CORRECTED AND
6 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:
7 Sec. 1. (a) Except as provided in subsection (b) but notwithstanding
8 any other law, each governing body of a school corporation and each
9 organizer of a charter school shall purchase from a publisher, either
10 individually or through a purchasing cooperative of school
11 corporations, as applicable, the curricular materials selected by the
12 proper local officials, and shall provide at no cost the curricular
13 materials to each student enrolled in the school corporation or charter
14 school. Curricular materials provided to a student under this section
15 remain the property of the governing body of the school corporation or
16 organizer of the charter school.
17 (b) This section does not prohibit a governing body of a school
18 corporation or an organizer of a charter school from assessing and
19 collecting a reasonable fee for lost or significantly damaged curricular
20 materials in accordance with rules established by the state board under
21 subsection ~~(c)~~: **(d)**. Fees collected under this subsection must be
22 deposited in the: *separate curricular materials account established*
23 ~~under IC 20-40-22-9 for~~
24 (1) *education fund of the school corporation; or*
25 (2) *education fund of the charter school, or, if the charter school*
26 *does not have an education fund, the same fund into which state*
27 *tuition support is deposited for the charter school;*

1 in which the student was enrolled at the time the fee was imposed.

2 **(c) This section does not prohibit a governing body of a school**
 3 **corporation or an organizer of a charter school from assessing and**
 4 **collecting a reasonable fee for supplies and materials that:**

5 **(1) are not curricular materials; and**

6 **(2) supplement the instruction in a particular course of study.**

7 ~~(e)~~ **(d)** The state board shall adopt rules under IC 4-22-2 *including*
 8 *emergency rules in the manner provided in IC 4-22-2-37.1,* to
 9 implement this section."

10 Page 26, between lines 11 and 12, begin a new paragraph and insert:

11 "SECTION 24. IC 20-33-5-11, AS AMENDED BY P.L.201-2023,
 12 SECTION 176, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) A school corporation may
 14 not:

15 (1) withhold curricular materials and supplies;

16 (2) require any special services from a child or emancipated
 17 minor; or

18 (3) deny the child or emancipated minor any benefit or privilege;
 19 because the parent or emancipated minor fails to pay a required fee,
 20 including a reasonable fee for lost or significantly damaged curricular
 21 materials imposed under IC 20-26-12-1(b) **or a reasonable fee for**
 22 **supplies and materials imposed under IC 20-26-12-1(c).**

23 (b) Notwithstanding subsection (a), a school corporation may take
 24 any action authorized by law to collect unpaid fees from parents who
 25 are determined to be ineligible for assistance, including recovery of
 26 reasonable attorney's fees and court costs in addition to a judgment
 27 award against those parents.

28 (c) A school corporation may designate a full-time employee of the
 29 school corporation to represent the school corporation in a small claims
 30 court action under subsection (b) if the claim does not exceed one
 31 thousand five hundred dollars (\$1,500). The employee designated
 32 under this subsection is not required to be an attorney."

33 Renumber all SECTIONS consecutively.

(Reference is to SB 366 as introduced.)