



March 26, 2021

ENGROSSED HOUSE BILL No. 1266

DIGEST OF HB 1266 (Updated March 24, 2021 4:00 pm - DI 110)

Citations Affected: IC 20-19; noncode.

Synopsis: Education building and transportation authorities. Requires the department of education (department) to issue a request for information concerning the possible establishment of educational building authorities and educational transportation authorities that would operate kindergarten through grade 12 school buildings, or other educational experience centers, and kindergarten through grade 12 transportation, respectively. Provides that the deadline for submission of responses to the request for information may not be later than September 1, 2021. Requires the department to prepare and submit, not later than October 1, 2021, a report that includes the information regarding the responses to the request for information and any recommendations by the department. Urges the legislative council to assign to an appropriate study committee for the 2021 interim the task of reviewing the report submitted by the department.

Effective: Upon passage.

Clere, Behning, Davis, Pfaff

(SENATE SPONSORS — DONATO, RAATZ, WALKER K)

January 14, 2021, read first time and referred to Committee on Education.
February 11, 2021, amended, reported — Do Pass.
February 18, 2021, read second time, amended, ordered engrossed.
February 19, 2021, engrossed.
February 22, 2021, read third time, passed. Yeas 87, nays 1.

SENATE ACTION

March 1, 2021, read first time and referred to Committee on Education and Career Development.
March 25, 2021, amended, reported favorably — Do Pass.

EH 1266—LS 7315/DI 134



March 26, 2021

First Regular Session of the 122nd General Assembly (2021)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1266

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

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

1 SECTION 1. IC 20-19-3-23.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 23.2. (a) In order to explore**
4 **potential opportunities to improve the efficiency of**
5 **noninstructional school services, allow for any resulting cost**
6 **savings to transfer from the operations fund to the education fund,**
7 **and find ways to increase dollars to the classroom, the department**
8 **shall, not later than June 1, 2021, issue a request for information**
9 **in compliance with IC 5-23-4.5 regarding the possibility of**
10 **establishing:**

11 (1) education building authorities, or similar entities, that
12 would manage the operation of kindergarten through grade
13 12 school buildings or other educational experience centers;
14 and
15 (2) education transportation authorities, or similar entities,
16 that would manage the operation of kindergarten through
17 grade 12 transportation.

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1 **(b) The request for information must include questions related**
 2 **to the following:**

3 **(1) The governance structure of the entities managing the**
 4 **operations of the:**

5 **(A) school buildings; and**

6 **(B) transportation.**

7 **(2) The funding streams necessary to cover the cost of**
 8 **operating the:**

9 **(A) school buildings; and**

10 **(B) transportation.**

11 **(3) The strategies for addressing existing debt related to the:**

12 **(A) school buildings; and**

13 **(B) transportation.**

14 **(4) The optimal geographic groupings for the operation of the:**

15 **(A) school buildings; and**

16 **(B) transportation.**

17 **(5) The strategies that could limit the impact of any changes**
 18 **affecting current employees.**

19 **(c) The department shall set the deadline for submissions of**
 20 **responses to the request for information under this section, which**
 21 **may not be later than September 1, 2021.**

22 **(d) Subject to IC 5-23-4.5-3, the department shall prepare a**
 23 **report that includes:**

24 **(1) information regarding the responses to the request for**
 25 **information under this section, including a copy of a**

26 **response to the request for information if the person who**
 27 **submitted the response waived confidentiality in writing;**

28 **(2) any recommendations by the department regarding the**
 29 **request for information or the responses to the request for**
 30 **information; and**

31 **(3) any other information that the department determines**
 32 **is relevant to the request for information.**

33 **The department shall, not later than October 1, 2021, submit the**
 34 **report to the legislative council in an electronic format under**
 35 **IC 5-14-6.**

36 **(e) This section expires July 1, 2022.**

37 **SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The legislative**
 38 **council is urged to assign to an appropriate study committee for**
 39 **the 2021 interim the task of reviewing the report submitted by the**
 40 **department under IC 20-19-3-23.2(d), as added by this act. If the**
 41 **study committee makes recommendations regarding the report**
 42 **submitted by the department, the study committee shall consider**



1 **the potential impact on students, parents, school employees, and**
2 **communities.**

3 **(b) This SECTION expires January 1, 2022.**

4 **SECTION 3. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1266, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 13 through 42.

Delete page 3.

Page 4, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1266 as introduced.)

BEHNING

Committee Vote: yeas 12, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1266 be amended to read as follows:

Page 1, line 1, delete "5-1.2-8-26" and insert "20-19-3-23.2".

Page 1, line 3, delete "26." and insert "**23.2**".

Page 1, line 5, delete "authority" and insert "**department**".

Page 2, line 10, delete "authority" and insert "**department**".

(Reference is to HB 1266 as printed February 11, 2021.)

CLERE

 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1266, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, after "order" insert "**to explore potential opportunities**".

Page 1, line 4, delete "school services and increase dollars to

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teachers," and insert **"noninstructional school services, allow for any resulting cost savings to transfer from the operations fund to the education fund, and find ways to increase dollars to the classroom,"**.

Page 1, line 5, delete "before July 1, 2021,".

Page 1, line 5, delete "shall" and insert **"shall, not later than June 1, 2021,"**.

Page 1, delete line 17, begin a new line block indented and insert:

"(1) The governance structure of the entities managing the operations of the:

(A) school buildings; and

(B) transportation.

(2) The funding streams necessary to cover the cost of operating the:

(A) school buildings; and

(B) transportation.

(3) The strategies for addressing existing debt related to the:

(A) school buildings; and

(B) transportation.

(4) The optimal geographic groupings for the operation of the:

(A) school buildings; and

(B) transportation.

(5) The strategies that could limit the impact of any changes affecting current employees."

Page 2, delete lines 1 through 9.

Page 2, line 12, delete "November 30," and insert **"September 1,"**.

Page 2, between lines 12 and 13, begin a new paragraph and insert:

"(d) Subject to IC 5-23-4.5-3, the department shall prepare a report that includes:

(1) information regarding the responses to the request for information under this section, including a copy of a response to the request for information if the person who submitted the response waived confidentiality in writing;

(2) any recommendations by the department regarding the request for information or the responses to the request for information; and

(3) any other information that the department determines is relevant to the request for information.

The department shall, not later than October 1, 2021, submit the report to the legislative council in an electronic format under IC 5-14-6.

(e) This section expires July 1, 2022.

(e) This section expires July 1, 2022.

(e) This section expires July 1, 2022.



SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate study committee for the 2021 interim the task of reviewing the report submitted by the department under IC 20-19-3-23.2(d), as added by this act. If the study committee makes recommendations regarding the report submitted by the department, the study committee shall consider the potential impact on students, parents, school employees, and communities.

(b) This SECTION expires January 1, 2022."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1266 as reprinted February 19, 2021.)

RAATZ, Chairperson

Committee Vote: Yeas 9, Nays 3.

