

# HOUSE BILL No. 1368

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-10-9-3; IC 6-1.1-20; IC 20-26-7-18; IC 20-46.

**Synopsis:** School levy referenda. Provides that: (1) a referendum authorizing a school corporation to impose property taxes to pay debt service on bonds or lease rentals on a lease for a specified controlled project; (2) a school corporation operating referendum tax levy; or (3) a school corporation school safety referendum tax levy; may be placed on the ballot only at a general election.

**Effective:** July 1, 2025.

---

---

## Behning, McGuire

---

---

January 13, 2025, read first time and referred to Committee on Elections and Apportionment.

---

---



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## HOUSE BILL No. 1368

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 3-10-9-3, AS AMENDED BY P.L.225-2011,  
2 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2025]: Sec. 3. **(a) Except as provided in subsection (b)**, if a  
4 local public question must be certified to an election board by law, that  
5 certification must occur no later than noon:  
6 (1) seventy-four (74) days before a primary election if the public  
7 question is to be placed on the primary or municipal primary  
8 election ballot; or  
9 (2) August 1 if the public question is to be placed on the general  
10 or municipal election ballot.  
11 **(b) A referendum or local public question:**  
12 **(1) described in IC 6-1.1-20-3.6(f);**  
13 **(2) under IC 20-46-1; or**  
14 **(3) under IC 20-46-9;**  
15 **may be placed on the ballot only at a general election. Certification**  
16 **of a local public question under this subsection must occur not**  
17 **later than noon August 1.**



1 SECTION 2. IC 6-1.1-20-3.6, AS AMENDED BY P.L.136-2024,  
 2 SECTION 25, AND AS AMENDED BY P.L.156-2024, SECTION 17,  
 3 AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL  
 4 OF THE 2025 GENERAL ASSEMBLY, IS CORRECTED AND  
 5 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:  
 6 Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8 of this chapter,  
 7 this section applies only to a controlled project described in section  
 8 3.5(a) of this chapter.

9 (b) In the case of a controlled project:

10 (1) described in section 3.5(a)(1)(A) through 3.5(a)(1)(C) of this  
 11 chapter, if a sufficient petition requesting the application of the  
 12 local public question process has been filed as set forth in section  
 13 3.5 of this chapter; or

14 (2) described in section ~~3.5(a)(1)(D)~~ 3.5(a)(1)(E) of this chapter  
 15 (before its expiration);

16 a political subdivision may not impose property taxes to pay debt  
 17 service on bonds or lease rentals on a lease for a controlled project  
 18 unless the political subdivision's proposed debt service or lease rental  
 19 is approved in an election on a local public question held under this  
 20 section.

21 (c) Except as provided in subsection ~~(k)~~ **(l)**, the following question  
 22 shall be submitted to the eligible voters at the election conducted under  
 23 this section:

24 "Shall \_\_\_\_\_ (insert the name of the political subdivision)  
 25 increase property taxes paid to the \_\_\_\_\_ (insert the type of  
 26 taxing unit) by homeowners and businesses? If this public  
 27 question is approved by the voters, the average property tax paid  
 28 to the \_\_\_\_\_ (insert the type of taxing unit) per year on a  
 29 residence would increase by \_\_\_\_\_% (insert the estimated  
 30 average percentage of property tax increase paid to the political  
 31 subdivision on a residence within the political subdivision as  
 32 determined under subsection ~~(n)~~ **(o)** and the average property  
 33 tax paid to the \_\_\_\_\_ (insert the type of taxing unit) per year on  
 34 a business property would increase by \_\_\_\_\_% (insert the  
 35 estimated average percentage of property tax increase paid to the  
 36 political subdivision on a business property within the political  
 37 subdivision as determined under subsection ~~(o)~~ **(p)**). The  
 38 political subdivision may issue bonds or enter into a lease to  
 39 \_\_\_\_\_ (insert a brief description of the controlled project),  
 40 which is estimated to cost \_\_\_\_\_ (insert the total cost of the  
 41 project) over \_\_\_\_\_ (insert number of years to bond maturity or  
 42 termination of lease) years. The most recent property tax



1 referendum within the boundaries of the political subdivision for  
 2 which this public question is being considered was proposed by  
 3 \_\_\_\_\_ (insert name of political subdivision) in \_\_\_\_\_ (insert  
 4 year of most recent property tax referendum) and \_\_\_\_\_  
 5 (insert whether the measure passed or failed).".

6 The public question must appear on the ballot in the form approved by  
 7 the county election board. If the political subdivision proposing to issue  
 8 bonds or enter into a lease is located in more than one (1) county, the  
 9 county election board of each county shall jointly approve the form of  
 10 the public question that will appear on the ballot in each county. The  
 11 form approved by the county election board may differ from the  
 12 language certified to the county election board by the county auditor.  
 13 If the county election board approves the language of a public question  
 14 under this subsection, the county election board shall submit the  
 15 language and the certification of the county auditor described in  
 16 subsection ~~(p)~~ **(q)** to the department of local government finance for  
 17 review.

18 (d) The department of local government finance shall review the  
 19 language of the public question to evaluate whether the description of  
 20 the controlled project is accurate and is not biased against either a vote  
 21 in favor of the controlled project or a vote against the controlled  
 22 project. The department of local government finance shall post the  
 23 estimated average percentage of property tax increases to be paid to a  
 24 political subdivision on a residence and business property that are  
 25 certified by the county auditor under subsection ~~(p)~~ **(q)** on the  
 26 department's ~~Internet web site~~ website. The department of local  
 27 government finance may either approve the ballot language as  
 28 submitted or recommend that the ballot language be modified as  
 29 necessary to ensure that the description of the controlled project is  
 30 accurate and is not biased. The department of local government finance  
 31 shall certify its approval or recommendations to the county auditor and  
 32 the county election board not more than ten (10) days after *both the*  
 33 *certification of the county auditor described in subsection ~~(p)~~ **(q)** and*  
 34 *the language of the public question ~~is~~ are* submitted to the department  
 35 for review. If the department of local government finance recommends  
 36 a modification to the ballot language, the county election board shall,  
 37 after reviewing the recommendations of the department of local  
 38 government finance, submit modified ballot language to the department  
 39 for the department's approval or recommendation of any additional  
 40 modifications. The public question may not be certified by the county  
 41 auditor under subsection (e) **or (f)** unless the department of local  
 42 government finance has first certified the department's final approval



1 of the ballot language for the public question.

2 (e) **This subsection does not apply to a local public question**  
 3 **described in subsection (f).** The county auditor shall certify the finally  
 4 approved public question under ~~IC 3-10-9-3~~ **IC 3-10-9-3(a)** to the  
 5 county election board of each county in which the political subdivision  
 6 is located. The certification must occur not later than noon:

7 (1) seventy-four (74) days before a primary election if the public  
 8 question is to be placed on the primary or municipal primary  
 9 election ballot; or

10 (2) August 1 if the public question is to be placed on the general  
 11 or municipal election ballot.

12 Subject to the certification requirements and deadlines under this  
 13 subsection and except as provided in subsection (j), (k), the public  
 14 question shall be placed on the ballot at the next primary election,  
 15 general election, or municipal election in which all voters of the  
 16 political subdivision are entitled to vote. However, if a primary  
 17 election, general election, or municipal election will not be held during  
 18 the first year in which the public question is eligible to be placed on the  
 19 ballot under this section and if the political subdivision requests the  
 20 public question to be placed on the ballot at a special election, the  
 21 public question shall be placed on the ballot at a special election to be  
 22 held on the first Tuesday after the first Monday in May or November  
 23 of the year. The certification must occur not later than noon  
 24 seventy-four (74) days before a special election to be held in May (if  
 25 the special election is to be held in May) or noon on August 1 (if the  
 26 special election is to be held in November). The fiscal body of the  
 27 political subdivision that requests the special election shall pay the  
 28 costs of holding the special election. The county election board shall  
 29 give notice under IC 5-3-1 of a special election conducted under this  
 30 subsection. A special election conducted under this subsection is under  
 31 the direction of the county election board. The county election board  
 32 shall take all steps necessary to carry out the special election.

33 (f) **This subsection applies to a local public question authorizing**  
 34 **a school corporation to impose property taxes to pay debt service**  
 35 **on bonds or lease rentals on a lease for a controlled project**  
 36 **described in section 3.5(a) of this chapter. The county auditor shall**  
 37 **certify the finally approved public question under IC 3-10-9-3(b)**  
 38 **to the county election board of each county in which the political**  
 39 **subdivision is located. The certification must occur not later than**  
 40 **noon August 1. Subject to the certification requirements and**  
 41 **deadlines under this subsection and except as provided in**  
 42 **subsection (k), the public question shall be placed on the ballot at**



1 **the next election permitted under IC 3-10-9-3(b).**

2 ~~(f)~~ **(g)** The circuit court clerk shall certify the results of the public  
3 question to the following:

4 (1) The county auditor of each county in which the political  
5 subdivision is located.

6 (2) The department of local government finance.

7 ~~(g)~~ **(h)** Subject to the requirements of IC 6-1.1-18.5-8, the political  
8 subdivision may issue the proposed bonds or enter into the proposed  
9 lease rental if a majority of the eligible voters voting on the public  
10 question vote in favor of the public question.

11 ~~(h)~~ **(i)** If a majority of the eligible voters voting on the public  
12 question vote in opposition to the public question, both of the following  
13 apply:

14 (1) The political subdivision may not issue the proposed bonds or  
15 enter into the proposed lease rental.

16 (2) Another public question under this section on the same or a  
17 substantially similar project may not be submitted to the voters  
18 earlier than:

19 (A) except as provided in clause (B), seven hundred (700)  
20 days after the date of the public question; or

21 (B) three hundred fifty (350) days after the date of the election,  
22 if a petition that meets the requirements of subsection ~~(m)~~ **(n)**  
23 is submitted to the county auditor.

24 ~~(i)~~ **(j)** IC 3, to the extent not inconsistent with this section, applies  
25 to an election held under this section.

26 ~~(j)~~ **(k)** A political subdivision may not divide a controlled project in  
27 order to avoid the requirements of this section and section 3.5 of this  
28 chapter. A person that owns property within a political subdivision or  
29 a person that is a registered voter residing within a political subdivision  
30 may file a petition with the department of local government finance  
31 objecting that the political subdivision has divided a controlled project  
32 into two (2) or more capital projects in order to avoid the requirements  
33 of this section and section 3.5 of this chapter. The petition must be filed  
34 not more than ten (10) days after the political subdivision gives notice  
35 of the political subdivision's decision under section 3.5 of this chapter  
36 or a determination under section 5 of this chapter to issue bonds or  
37 enter into leases for a capital project that the person believes is the  
38 result of a division of a controlled project that is prohibited by this  
39 subsection. If the department of local government finance receives a  
40 petition under this subsection, the department shall not later than thirty  
41 (30) days after receiving the petition make a final determination on the  
42 issue of whether the political subdivision divided a controlled project



1 in order to avoid the requirements of this section and section 3.5 of this  
2 chapter. If the department of local government finance determines that  
3 a political subdivision divided a controlled project in order to avoid the  
4 requirements of this section and section 3.5 of this chapter and the  
5 political subdivision continues to desire to proceed with the project, the  
6 political subdivision may appeal the determination of the department  
7 of local government finance to the Indiana board of tax review. A  
8 political subdivision shall be considered to have divided a capital  
9 project in order to avoid the requirements of this section and section  
10 3.5 of this chapter if the result of one (1) or more of the subprojects  
11 cannot reasonably be considered an independently desirable end in  
12 itself without reference to another capital project. This subsection does  
13 not prohibit a political subdivision from undertaking a series of capital  
14 projects in which the result of each capital project can reasonably be  
15 considered an independently desirable end in itself without reference  
16 to another capital project.

17 ~~(k)~~ **(l)** This subsection applies to a political subdivision for which a  
18 petition requesting a public question has been submitted under section  
19 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of  
20 the political subdivision may adopt a resolution to withdraw a  
21 controlled project from consideration in a public question. If the  
22 legislative body provides a certified copy of the resolution to the county  
23 auditor and the county election board not later than sixty-three (63)  
24 days before the election at which the public question would be on the  
25 ballot, the public question on the controlled project shall not be placed  
26 on the ballot and the public question on the controlled project shall not  
27 be held, regardless of whether the county auditor has certified the  
28 public question to the county election board. If the withdrawal of a  
29 public question under this subsection requires the county election  
30 board to reprint ballots, the political subdivision withdrawing the  
31 public question shall pay the costs of reprinting the ballots. If a political  
32 subdivision withdraws a public question under this subsection that  
33 would have been held at a special election and the county election  
34 board has printed the ballots before the legislative body of the political  
35 subdivision provides a certified copy of the withdrawal resolution to  
36 the county auditor and the county election board, the political  
37 subdivision withdrawing the public question shall pay the costs  
38 incurred by the county in printing the ballots. If a public question on a  
39 controlled project is withdrawn under this subsection, a public question  
40 under this section on the same controlled project or a substantially  
41 similar controlled project may not be submitted to the voters earlier  
42 than three hundred fifty (350) days after the date the resolution



1 withdrawing the public question is adopted.

2 ~~(h)~~ **(m)** If a public question regarding a controlled project is placed  
3 on the ballot to be voted on at an election under this section, the  
4 political subdivision shall submit to the department of local  
5 government finance, at least thirty (30) days before the election, the  
6 following information regarding the proposed controlled project for  
7 posting on the department's ~~Internet web site:~~ *website*:

8 (1) The cost per square foot of any buildings being constructed as  
9 part of the controlled project.

10 (2) The effect that approval of the controlled project would have  
11 on the political subdivision's property tax rate.

12 (3) The maximum term of the bonds or lease.

13 (4) The maximum principal amount of the bonds or the maximum  
14 lease rental for the lease.

15 (5) The estimated interest rates that will be paid and the total  
16 interest costs associated with the bonds or lease.

17 (6) The purpose of the bonds or lease.

18 (7) In the case of a controlled project proposed by a school  
19 corporation:

20 (A) the current and proposed square footage of school building  
21 space per student;

22 (B) enrollment patterns within the school corporation; and

23 (C) the age and condition of the current school facilities.

24 ~~(m)~~ **(n)** If a majority of the eligible voters voting on the public  
25 question vote in opposition to the public question, a petition may be  
26 submitted to the county auditor to request that the limit under  
27 subsection ~~(h)(2)(B)~~ **(i)(2)(B)** apply to the holding of a subsequent  
28 public question by the political subdivision. If such a petition is  
29 submitted to the county auditor and is signed by the lesser of:

30 (1) five hundred (500) persons who are either owners of property  
31 within the political subdivision or registered voters residing  
32 within the political subdivision; or

33 (2) five percent (5%) of the registered voters residing within the  
34 political subdivision;

35 the limit under subsection ~~(h)(2)(B)~~ **(i)(2)(B)** applies to the holding of  
36 a second public question by the political subdivision and the limit  
37 under subsection ~~(h)(2)(A)~~ **(i)(2)(A)** does not apply to the holding of  
38 a second public question by the political subdivision.

39 ~~(m)~~ **(o)** At the request of a political subdivision that proposes to  
40 impose property taxes to pay debt service on bonds or lease rentals on  
41 a lease for a controlled project, the county auditor of a county in which  
42 the political subdivision is located shall determine the estimated





1 average percentage of property tax increase on a homestead to be paid  
 2 to the political subdivision that must be included in the public question  
 3 under subsection (c) as follows:

4 STEP ONE: Determine the average assessed value of a homestead  
 5 located within the political subdivision.

6 STEP TWO: For purposes of determining the net assessed value  
 7 of the average homestead located within the political subdivision,  
 8 subtract:

9 (A) an amount for the homestead standard deduction under  
 10 IC 6-1.1-12-37 as if the homestead described in STEP ONE  
 11 was eligible for the deduction; and

12 (B) an amount for the supplemental homestead deduction  
 13 under IC 6-1.1-12-37.5 as if the homestead described in STEP  
 14 ONE was eligible for the deduction;

15 from the result of STEP ONE.

16 STEP THREE: Divide the result of STEP TWO by one hundred  
 17 (100).

18 STEP FOUR: Determine the overall average tax rate per one  
 19 hundred dollars (\$100) of assessed valuation for the current year  
 20 imposed on property located within the political subdivision.

21 STEP FIVE: For purposes of determining net property tax liability  
 22 of the average homestead located within the political subdivision:

23 (A) multiply the result of STEP THREE by the result of STEP  
 24 FOUR; and

25 (B) as appropriate, apply any currently applicable county  
 26 property tax credit rates and the credit for excessive property  
 27 taxes under IC 6-1.1-20.6-7.5(a)(1).

28 STEP SIX: Determine the amount of the political subdivision's  
 29 part of the result determined in STEP FIVE.

30 STEP SEVEN: Determine the estimated tax rate that will be  
 31 imposed if the public question is approved by the voters.

32 STEP EIGHT: Multiply the result of STEP SEVEN by the result  
 33 of STEP THREE.

34 STEP NINE: Divide the result of STEP EIGHT by the result of  
 35 STEP SIX, expressed as a percentage.

36 ~~(c)~~ (p) At the request of a political subdivision that proposes to  
 37 impose property taxes to pay debt service on bonds or lease rentals on  
 38 a lease for a controlled project, the county auditor of a county in which  
 39 the political subdivision is located shall determine the estimated  
 40 average percentage of property tax increase on a business property to  
 41 be paid to the political subdivision that must be included in the public  
 42 question under subsection (c) as follows:



- 1 STEP ONE: Determine the average assessed value of business  
 2 property located within the political subdivision.  
 3 STEP TWO: Divide the result of STEP ONE by one hundred  
 4 (100).  
 5 STEP THREE: Determine the overall average tax rate per one  
 6 hundred dollars (\$100) of assessed valuation for the current year  
 7 imposed on property located within the political subdivision.  
 8 STEP FOUR: For purposes of determining net property tax  
 9 liability of the average business property located within the  
 10 political subdivision:  
 11 (A) multiply the result of STEP TWO by the result of STEP  
 12 THREE; and  
 13 (B) as appropriate, apply any currently applicable county  
 14 property tax credit rates and the credit for excessive property  
 15 taxes under IC 6-1.1-20.6-7.5 as if the applicable percentage  
 16 was three percent (3%).  
 17 STEP FIVE: Determine the amount of the political subdivision's  
 18 part of the result determined in STEP FOUR.  
 19 STEP SIX: Determine the estimated tax rate that will be imposed  
 20 if the public question is approved by the voters.  
 21 STEP SEVEN: Multiply the result of STEP TWO by the result of  
 22 STEP SIX.  
 23 STEP EIGHT: Divide the result of STEP SEVEN by the result of  
 24 STEP FIVE, expressed as a percentage.  
 25 ~~(p)~~ (q) The county auditor shall certify the estimated average  
 26 percentage of property tax increase on a homestead to be paid to the  
 27 political subdivision determined under subsection ~~(n)~~, (o), and the  
 28 estimated average percentage of property tax increase on a business  
 29 property to be paid to the political subdivision determined under  
 30 subsection ~~(o)~~, (p), in a manner prescribed by the department of local  
 31 government finance, and provide the certification to the political  
 32 subdivision that proposes to impose property taxes. The political  
 33 subdivision shall provide the certification to the county election board  
 34 and include the estimated average percentages in the language of the  
 35 public question at the time the language of the public question is  
 36 submitted to the county election board for approval as described in  
 37 subsection (c).  
 38 SECTION 3. IC 6-1.1-20-4.3, AS ADDED BY P.L.136-2024,  
 39 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2025]: Sec. 4.3. (a) This section applies only if, with respect  
 41 to a particular controlled project that fulfilled the referendum process  
 42 under sections 3.5 and 3.6 of this chapter, the political subdivision



1 subsequently changes the scope of the controlled project beyond that  
2 initially presented.

3 (b) Notwithstanding any other provision in this chapter, if at least  
4 ten (10) persons who are either owners of property within the political  
5 subdivision or registered voters residing within the political  
6 subdivision file a petition with the proper officers of the political  
7 subdivision contending that the scope of a controlled project has  
8 changed from how it was initially presented, the proper officers of the  
9 political subdivision shall hold a public hearing to determine whether  
10 any change in scope is significant enough to warrant a new referendum  
11 process. A petition under this subsection must be filed not later than  
12 one (1) year after the controlled project received final approval.

13 (c) Notwithstanding any other provision in this chapter, if it is  
14 determined at the hearing described in subsection (b) that the political  
15 subdivision has subsequently changed the scope of a controlled project  
16 beyond that initially presented as described in subsection (a), the  
17 following procedures apply:

18 (1) A petition requesting the application of the local public  
19 question process under this section may be filed using, and in  
20 compliance with, the provisions that initially applied to the  
21 particular controlled project under section 3.5 of this chapter. For  
22 purposes of this subdivision, the relevant provisions in section 3.5  
23 of this chapter shall be construed in a manner consistent with this  
24 section.

25 (2) If a sufficient petition requesting the application of the local  
26 public question process for purposes of this section has been filed  
27 under subdivision (1), the following question shall be submitted  
28 to the eligible voters at the election conducted under this section:  
29 "On \_\_\_\_\_ (insert date) the voters approved a public question to  
30 increase property taxes paid to the \_\_\_\_\_ (insert the type of  
31 taxing unit) by homeowners and businesses. The political  
32 subdivision has determined that the scope of the project for which  
33 the public question was placed on the ballot has changed beyond  
34 that initially presented. To fund the increase in the scope of the  
35 project, the average property tax paid to the \_\_\_\_\_ (insert the  
36 type of taxing unit) per year on a residence is estimated to  
37 increase by \_\_\_\_\_% (insert the estimated average percentage of  
38 property tax increase paid to the political subdivision on a  
39 residence within the political subdivision) and the average  
40 property tax paid to the \_\_\_\_\_ (insert the type of taxing unit) per  
41 year on a business property would increase by \_\_\_\_\_% (insert  
42 the estimated average percentage of property tax increase paid to



1 the political subdivision on a business property within the  
 2 political subdivision). Shall \_\_\_\_\_ (insert the name of the  
 3 political subdivision) increase property taxes paid to the \_\_\_\_\_  
 4 (insert the type of taxing unit) by homeowners and businesses to  
 5 fund the increase in the scope of the project previously approved?  
 6 If this public question is approved by the voters, the average  
 7 property tax paid to the \_\_\_\_\_ (insert the type of taxing unit)  
 8 per year on a residence would increase by \_\_\_\_\_% (insert the  
 9 estimated average percentage of property tax increase paid to the  
 10 political subdivision on a residence within the political  
 11 subdivision) and the average property tax paid to the \_\_\_\_\_  
 12 (insert the type of taxing unit) per year on a business property  
 13 would increase by \_\_\_\_\_% (insert the estimated average  
 14 percentage of property tax increase paid to the political  
 15 subdivision on a business property within the political  
 16 subdivision).".

17 (3) The public question must appear on the ballot in the form  
 18 approved by the county election board. If the political subdivision  
 19 in which the particular controlled project is located in more than  
 20 one (1) county, the county election board of each county shall  
 21 jointly approve the form of the public question that will appear on  
 22 the ballot in each county. The form approved by the county  
 23 election board may differ from the language certified to the  
 24 county election board by the county auditor. If the county election  
 25 board approves the language of a public question under this  
 26 subsection, the county election board shall submit the language to  
 27 the department of local government finance for review.

28 (4) The department of local government finance shall review the  
 29 language of the public question to evaluate whether the  
 30 description of the controlled project is accurate and is not biased  
 31 against either a vote in favor of the controlled project or a vote  
 32 against the controlled project. The department of local  
 33 government finance may either approve the ballot language as  
 34 submitted or recommend that the ballot language be modified as  
 35 necessary to ensure that the description of the controlled project  
 36 is accurate and is not biased. The department of local government  
 37 finance shall certify its approval or recommendations to the  
 38 county auditor and the county election board not more than ten  
 39 (10) days after the language of the public question is submitted to  
 40 the department for review. If the department of local government  
 41 finance recommends a modification to the ballot language, the  
 42 county election board shall, after reviewing the recommendations



1 of the department of local government finance, submit modified  
 2 ballot language to the department for the department's approval  
 3 or recommendation of any additional modifications. The public  
 4 question may not be certified by the county auditor under  
 5 subdivision (5) unless the department of local government finance  
 6 has first certified the department's final approval of the ballot  
 7 language for the public question.

8 (5) The county auditor shall certify the finally approved public  
 9 question **according to the following:**

10 **(A) In the case of a political subdivision other than a school**  
 11 **corporation, under ~~IC 3-10-9-3~~ IC 3-10-9-3(a) to the county**  
 12 **election board of each county in which the political**  
 13 **subdivision is located. The certification must occur not later**  
 14 **than noon:**

15 ~~(A)~~ **(i)** seventy-four (74) days before a primary election if  
 16 the public question is to be placed on the primary or  
 17 municipal primary election ballot; or

18 ~~(B)~~ **(ii)** August 1 if the public question is to be placed on the  
 19 general or municipal election ballot.

20 **(B) In the case of a school corporation, under**  
 21 **IC 3-10-9-3(b) to the county election board of each county**  
 22 **in which the political subdivision is located. The**  
 23 **certification must occur not later than noon August 1.**  
 24 **Subject to the certification requirements and deadlines**  
 25 **under this subsection, the public question shall be placed**  
 26 **on the ballot at the next election permitted under**  
 27 **IC 3-10-9-3(b).**

28 (6) The public question shall be placed on the ballot **according to**  
 29 **the following:**

30 **(A) In the case of a political subdivision other than a school**  
 31 **corporation, at the next primary election, general election or**  
 32 **municipal election in which all voters of the political**  
 33 **subdivision are entitled to vote. However, if a primary**  
 34 **election, general election, or municipal election will not be**  
 35 **held during the first year in which the public question is**  
 36 **eligible to be placed on the ballot under this section and if the**  
 37 **political subdivision requests the public question to be placed**  
 38 **on the ballot at a special election, the public question shall be**  
 39 **placed on the ballot at a special election to be held on the first**  
 40 **Tuesday after the first Monday in May or November of the**  
 41 **year. The certification must occur not later than noon**  
 42 **seventy-four (74) days before a special election to be held in**



1 May (if the special election is to be held in May) or noon on  
 2 August 1 (if the special election is to be held in November).  
 3 The fiscal body of the political subdivision that requests the  
 4 special election shall pay the costs of holding the special  
 5 election. The county election board shall give notice under  
 6 IC 5-3-1 of a special election conducted under this subsection.  
 7 A special election conducted under this subsection is under the  
 8 direction of the county election board. The county election  
 9 board shall take all steps necessary to carry out the special  
 10 election.

11 **(B) In the case of a school corporation, at the next general**  
 12 **election in which all voters of the political subdivision are**  
 13 **entitled to vote.**

14 (7) The circuit court clerk shall certify the results of the public  
 15 question to the following:

16 (A) The county auditor of each county in which the political  
 17 subdivision is located.

18 (B) The department of local government finance.

19 (8) IC 3, to the extent not inconsistent with this section, applies to  
 20 an election held under this section.

21 (9) If a majority of the eligible voters voting on the public  
 22 question vote in opposition to the public question, or if a petition  
 23 is not filed under subdivision (1), the political subdivision may  
 24 not proceed with the changed scope of the controlled project. In  
 25 that case, the political subdivision may either:

26 (A) proceed with the controlled project as it was initially  
 27 presented; or

28 (B) terminate the controlled project as it was initially  
 29 presented and initiate procedures for the controlled project that  
 30 reflects the change in scope.

31 (10) If a majority of the eligible voters voting on the public  
 32 question vote in favor of the public question, the political  
 33 subdivision may impose property taxes to fund the increase in the  
 34 scope of the controlled project previously approved.

35 SECTION 4. IC 20-26-7-18, AS AMENDED BY P.L.250-2023,  
 36 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2025]: Sec. 18. Subject to IC 5-1-11.5, a school corporation  
 38 may issue and sell bonds under the general statutes governing the  
 39 issuance of bonds to purchase and improve buildings or lands, or both.  
 40 All laws relating to approval (if required) in a local public question  
 41 under IC 6-1.1-20, **including the requirement that a local public**  
 42 **question may be placed on the ballot only at a general election,** the



1 filing of petitions, remonstrances, and objecting petitions, giving  
2 notices of the filing of petitions, the determination to issue bonds, and  
3 the appropriation of the proceeds of the bonds are applicable to the  
4 issuance of bonds under section 17 of this chapter.

5 SECTION 5. IC 20-46-1-8, AS AMENDED BY P.L.162-2024,  
6 SECTION 25, AND AS AMENDED BY P.L.36-2024, SECTION 10,  
7 AND AS AMENDED BY P.L.104-2024, SECTION 51, AND AS  
8 AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE  
9 2025 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED  
10 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a)  
11 Subject to subsections (e), (f), and (g) and this chapter, the governing  
12 body of a school corporation may adopt a resolution to place a  
13 referendum under this chapter on the ballot for any of the following  
14 purposes:

15 (1) The governing body of the school corporation determines that  
16 it cannot, in a calendar year, carry out its public educational duty  
17 unless it imposes a referendum tax levy under this chapter.

18 (2) The governing body of the school corporation determines that  
19 a referendum tax levy under this chapter should be imposed to  
20 replace property tax revenue that the school corporation will not  
21 receive because of the application of the credit under  
22 IC 6-1.1-20.6.

23 (3) Except for resolutions described in subsection (b), the  
24 governing body makes the determination required under  
25 subdivision (1) or (2) and determines to share a portion of the  
26 referendum proceeds with a charter school, excluding a virtual  
27 charter school, in the manner prescribed in subsection (e).

28 (b) A resolution for a referendum for a county described in section  
29 21 of this chapter that is adopted after May 10, 2023, shall specify that  
30 a portion of the proceeds collected from the proposed levy will be  
31 distributed to applicable charter schools in the manner described under  
32 section 21 of this chapter.

33 (c) The governing body of the school corporation shall certify a  
34 copy of the resolution to place a referendum on the ballot to the  
35 following:

- 36 (1) The department of local government finance, including:  
37 (A) the language for the question required by section 10 of this  
38 chapter, or in the case of a resolution to extend a referendum  
39 levy certified to the department of local government finance  
40 after March 15, 2016, section 10.1 of this chapter; and  
41 (B) a copy of the revenue spending plan adopted under  
42 subsection (g).



1 The language of the public question must include the estimated  
 2 average percentage increases certified by the county auditor under  
 3 section 10(e) or 10.1(f) of this chapter, as applicable. The  
 4 governing body of the school corporation shall also provide the  
 5 county auditor's certification described in section 10(e) or 10.1(f)  
 6 of this chapter, as applicable. The department of local government  
 7 finance shall post the values certified by the county auditor to the  
 8 department's website. The department shall review the language  
 9 for compliance with section 10 or 10.1 of this chapter, whichever  
 10 is applicable, and either approve or reject the language. The  
 11 department shall send its decision to the governing body of the  
 12 school corporation not more than ten (10) days after *both the*  
 13 *certification of the county auditor described in section 10(e) or*  
 14 *10.1(f) of this chapter, as applicable, and the resolution is* ~~is~~ *are*  
 15 submitted to the department. If the language is approved, the  
 16 governing body of the school corporation shall certify a copy of  
 17 the resolution, including the language for the question and the  
 18 department's approval.

19 (2) The county fiscal body of each county in which the school  
 20 corporation is located (for informational purposes only).

21 (3) The circuit court clerk of each county in which the school  
 22 corporation is located.

23 (d) If a school safety referendum tax levy under IC 20-46-9 has been  
 24 approved by the voters in a school corporation at any time in the  
 25 previous three (3) years, the school corporation may not:

26 (1) adopt a resolution to place a referendum under this chapter on  
 27 the ballot; or

28 (2) otherwise place a referendum under this chapter on the ballot.

29 (e) Except as provided in section 21 of this chapter, the resolution  
 30 described in subsection (a) must indicate whether proceeds in the  
 31 school corporation's education fund collected from a tax levy under this  
 32 chapter will be used to provide a distribution to a charter school or  
 33 charter schools, excluding a virtual charter school, under IC 20-40-3-5  
 34 as well as the amount that will be distributed to the particular charter  
 35 school or charter schools. A school corporation may request from the  
 36 designated charter school or charter schools any financial  
 37 documentation necessary to demonstrate the financial need of the  
 38 charter school or charter schools. *Distribution to a charter school of*  
 39 *proceeds from a referendum held before May 10, 2023, does not*  
 40 *provide exemption from this chapter.*

41 (f) This subsection applies to a resolution described in subsection  
 42 (a) for a county described in section 21(a) of this chapter that is





1 adopted after May 10, 2023. The resolution described in subsection (a)  
 2 shall include a projection of the amount that the school corporation  
 3 expects to be distributed to a particular charter school, excluding  
 4 virtual charter schools or adult high schools, under section 21 of this  
 5 chapter if the charter school voluntarily elects to participate in the  
 6 referendum in the manner described in subsection (i). At least sixty  
 7 (60) days before the resolution described in subsection (a) is voted on  
 8 by the governing body, the school corporation shall contact the  
 9 department to determine the number of students in kindergarten  
 10 through grade 12 who have legal settlement in the school corporation  
 11 but attend a charter school, excluding virtual charter schools or adult  
 12 high schools, and who receive not more than fifty percent (50%) virtual  
 13 instruction. The department shall provide the school corporation with  
 14 the number of students with legal settlement in the school corporation  
 15 who attend a charter school and who receive not more than fifty percent  
 16 (50%) virtual instruction, which shall be disaggregated for each  
 17 particular charter school, excluding a virtual charter school or adult  
 18 high school. The projection may include an expected increase in  
 19 charter schools during the term the levy is imposed under this chapter.  
 20 The department of local government finance shall prescribe the manner  
 21 in which the projection shall be calculated. The governing body shall  
 22 take into consideration the projection when adopting the revenue  
 23 spending plan under subsection (g).

24 (g) As part of the resolution described in subsection (a), the  
 25 governing body of the school corporation shall adopt a revenue  
 26 spending plan for the proposed referendum tax levy that includes:

- 27 (1) an estimate of the amount of annual revenue expected to be  
 28 collected if a levy is imposed under this chapter;
- 29 (2) the specific purposes for which the revenue collected from a  
 30 levy imposed under this chapter will be used;
- 31 (3) an estimate of the annual dollar amounts that will be expended  
 32 for each purpose described in subdivision (2); and
- 33 (4) for a resolution for a referendum that is adopted after May 10,  
 34 2023, for a county described in section 21(a) of this chapter, the  
 35 projected revenue that shall be distributed to charter schools as  
 36 provided in subsections (f) and (i). The revenue spending plan  
 37 shall also take into consideration deviations in the proposed  
 38 revenue spending plan if the actual charter school distributions  
 39 exceed or are lower than the projected charter school distributions  
 40 described in subsection (f). The resolution shall include for each  
 41 charter school that elects to participate under subsection (i)  
 42 information described in subdivisions (1) through (3).



1 (h) A school corporation shall specify in its proposed budget the  
 2 school corporation's revenue spending plan adopted under subsection  
 3 (g) and annually present the revenue spending plan at its public hearing  
 4 on the proposed budget under IC 6-1.1-17-3.

5 (i) This subsection applies to a resolution described in subsection  
 6 (a) for a county described in section 21(a) of this chapter that is  
 7 adopted after May 10, 2023. At least forty-five (45) days before the  
 8 resolution described in subsection (a) is voted on by the governing  
 9 body, the school corporation shall contact each charter school,  
 10 excluding virtual charter schools or adult high schools, disclosed by the  
 11 department to the school corporation under subsection (f) to determine  
 12 whether the charter school will participate in the referendum. *The*  
 13 *notice must include the total amount of the school corporation's*  
 14 *expected need, the corresponding estimate for that amount divided by*  
 15 *the number of students enrolled in the school corporation, and the date*  
 16 *on which the governing body of the school corporation will vote on the*  
 17 *resolution.* The charter school must respond in writing to the school  
 18 corporation, *which may be by electronic mail addressed to the*  
 19 *superintendent of the school corporation,* at least fifteen (15) days  
 20 prior to the date that the resolution described in subsection (a) is to be  
 21 voted on by the governing body. If the charter school elects to not  
 22 participate in the referendum, the school corporation may exclude  
 23 distributions to the charter school under section 21 of this chapter and  
 24 from the projection described in subsection (f). If the charter school  
 25 elects to participate in the referendum, the charter school may receive  
 26 distributions under section 21 of this chapter and must be included in  
 27 the projection described in subsection (f). In addition, a charter school  
 28 that elects to participate in the referendum under this subsection shall  
 29 contribute a proportionate share of the cost to conduct the referendum  
 30 based on the total combined ADM of the school corporation and any  
 31 participating charter schools.

32 (j) This subsection applies to a resolution described in subsection  
 33 (a) for a county described in section 21(a) of this chapter that is  
 34 adopted after May 10, 2023. At least thirty (30) days before the  
 35 *resolution described in subsection (a) referendum submitted to the*  
 36 *voters under this chapter* is voted on by the ~~governing body~~, *public in*  
 37 *a primary or general election,* the school corporation that is pursuing  
 38 the ~~resolution referendum~~ and any charter school that has elected to  
 39 participate under subsection (i) shall post a referendum disclosure  
 40 statement on each school's respective website that contains the  
 41 following information:

42 (1) The salaries ~~of all employees employed~~ by position within the



1 school corporation or charter school listed from highest salary to  
 2 lowest salary *and a link to Gateway Indiana for access to*  
 3 *individual salaries.*

4 (2) An acknowledgment that the school corporation or charter  
 5 school is not committing any crime described in IC 35-44.1-1.

6 (3) A link to the school corporation's or charter school's most  
 7 recent state board of accounts audit on the state board of accounts'  
 8 website.

9 (4) The current enrollment of the school corporation or charter  
 10 school disaggregated by student group and race.

11 (5) The school corporation's or charter school's high school  
 12 graduation rate.

13 (6) The school corporation's or charter school's annual retention  
 14 rate for teachers for the previous five (5) years.

15 SECTION 6. IC 20-46-1-14, AS AMENDED BY P.L.227-2023,  
 16 SECTION 135, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2025]: Sec. 14. ~~(a)~~ The referendum shall be  
 18 held in the next ~~primary election~~, general election, ~~or municipal~~  
 19 ~~election as provided under IC 3-10-9-3(b)~~, in which all the registered  
 20 voters who are residents of the appellant school corporation are entitled  
 21 to vote after certification of the question. ~~under IC 3-10-9-3~~. The  
 22 certification of the question must occur not later than noon

23 ~~(1) seventy-four (74) days before a primary election if the~~  
 24 ~~question is to be placed on the primary or municipal primary~~  
 25 ~~election ballot; or~~

26 ~~(2) August 1, if the question is to be placed on the general or~~  
 27 ~~municipal election ballot.~~

28 ~~(b) However, if a primary election, general election, or municipal~~  
 29 ~~election will not be held during the first year in which the public~~  
 30 ~~question is eligible to be placed on the ballot under this chapter and if~~  
 31 ~~the appellant school corporation requests the public question to be~~  
 32 ~~placed on the ballot at a special election, the public question shall be~~  
 33 ~~placed on the ballot at a special election to be held on the first Tuesday~~  
 34 ~~after the first Monday in May or November of the year. The~~  
 35 ~~certification must occur not later than noon:~~

36 ~~(1) seventy-four (74) days before a special election to be held in~~  
 37 ~~May (if the special election is to be held in May); or~~

38 ~~(2) on August 1 (if the special election is to be held in~~  
 39 ~~November).~~

40 ~~(c) If the referendum is not conducted at a primary election, general~~  
 41 ~~election, or municipal election, the appellant school corporation in~~  
 42 ~~which the referendum is to be held shall pay all the costs of holding the~~



1       **referendum.**  
2       SECTION 7. IC 20-46-9-6, AS AMENDED BY P.L.162-2024,  
3       SECTION 26, AND AS AMENDED BY P.L.156-2024, SECTION 30,  
4       AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL  
5       OF THE 2025 GENERAL ASSEMBLY, IS CORRECTED AND  
6       AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:  
7       Sec. 6. (a) Subject to this chapter, the governing body of a school  
8       corporation may adopt a resolution to place a referendum under this  
9       chapter on the ballot if the governing body of the school corporation  
10      determines that a referendum levy should be imposed for measures to  
11      improve school safety as described in IC 20-40-20-6(a) or  
12      IC 20-40-20-6(b).  
13      (b) Except as provided in section 22 of this chapter, a school  
14      corporation may, with the approval of the majority of members of the  
15      governing body, distribute a portion of the proceeds of a tax levy  
16      collected under this chapter that is deposited in the fund to a charter  
17      school, excluding a virtual charter school, that is located within the  
18      attendance area of the school corporation, to be used by the charter  
19      school for the purposes described in IC 20-40-20-6(a).  
20      (c) This subsection applies to a resolution described in subsection  
21      (a) that is adopted after May 10, 2023, in a county described in section  
22      22(a) of this chapter. A resolution shall specify that a portion of the  
23      proceeds of the proposed levy will be distributed to applicable charter  
24      schools in the manner described under section 22 of this chapter if the  
25      charter school voluntarily elects to participate in the referendum in the  
26      manner described in subsection (i).  
27      (d) This subsection applies to a resolution described in subsection  
28      (a) that is adopted after May 10, 2023, in a county described in section  
29      22(a) of this chapter. The resolution described in subsection (a) shall  
30      include a projection of the amount that the school corporation expects  
31      to be distributed to a particular charter school, excluding virtual charter  
32      schools or adult high schools, under section 22 of this chapter that  
33      elects to participate in the referendum under subsection (i). At least  
34      sixty (60) days before the resolution described in subsection (a) is  
35      voted on by the governing body, the school corporation shall contact  
36      the department to determine the number of students in kindergarten  
37      through grade 12 who have legal settlement in the school corporation  
38      but attend a charter school, excluding virtual charter schools or adult  
39      high schools, and who receive not more than fifty percent (50%) virtual  
40      instruction. The department shall provide the school corporation with  
41      the number of students with legal settlement in the school corporation  
42      who attend a charter school, which shall be disaggregated for each



1 particular charter school, excluding a virtual charter school or adult  
 2 high school. The projection may include an expected increase in  
 3 charter schools during the term the levy is imposed. The department of  
 4 local government finance shall prescribe the manner in which the  
 5 projection shall be calculated. The governing body shall take into  
 6 consideration the projection when adopting the revenue spending plan  
 7 under subsection (g).

8 (e) The governing body of the school corporation shall certify a  
 9 copy of the resolution to the following:

10 (1) The department of local government finance, including:

11 (A) the language for the question required by section 9 of this  
 12 chapter, or in the case of a resolution to extend a referendum  
 13 levy certified to the department of local government finance,  
 14 section 10 of this chapter; and

15 (B) a copy of the revenue spending plan adopted under  
 16 subsection (g).

17 The language of the public question must include the estimated  
 18 average percentage increases certified by the county auditor under  
 19 section 9(d) or 10(f) of this chapter, as applicable. The governing  
 20 body of the school corporation shall also provide the county  
 21 auditor's certification described in section 9(d) or 10(f) of this  
 22 chapter, as applicable. The department of local government  
 23 finance shall post the values certified by the county auditor to the  
 24 department's website. The department shall review the language  
 25 for compliance with section 9 or 10 of this chapter, whichever is  
 26 applicable, and either approve or reject the language. The  
 27 department shall send its decision to the governing body of the  
 28 school corporation not more than ten (10) days after *both the*  
 29 *certification of the county auditor described in section 9(d) or*  
 30 *10(f) of this chapter, as applicable, and the resolution is* ~~is~~ *are*  
 31 submitted to the department. If the language is approved, the  
 32 governing body of the school corporation shall certify a copy of  
 33 the resolution, including the language for the question and the  
 34 department's approval.

35 (2) The county fiscal body of each county in which the school  
 36 corporation is located (for informational purposes only).

37 (3) The circuit court clerk of each county in which the school  
 38 corporation is located.

39 (f) Except as provided in section 22 of this chapter, the resolution  
 40 described in subsection (a) must indicate whether proceeds in the  
 41 school corporation's fund collected from a tax levy under this chapter  
 42 will be used to provide a distribution to a charter school or charter



1 schools, excluding a virtual charter school, under IC 20-40-20-6(b) as  
 2 well as the amount that will be distributed to the particular charter  
 3 school or charter schools. A school corporation may request from the  
 4 designated charter school or charter schools any financial  
 5 documentation necessary to demonstrate the financial need of the  
 6 charter school or charter schools.

7 (g) As part of the resolution described in subsection (a), the  
 8 governing body of the school corporation shall adopt a revenue  
 9 spending plan for the proposed referendum tax levy that includes:

10 (1) an estimate of the amount of annual revenue expected to be  
 11 collected if a levy is imposed under this chapter;

12 (2) the specific purposes described in IC 20-40-20-6 for which the  
 13 revenue collected from a levy imposed under this chapter will be  
 14 used;

15 (3) an estimate of the annual dollar amounts that will be expended  
 16 for each purpose described in subdivision (2); and

17 (4) for a resolution for a referendum that is adopted after May 10,  
 18 2023, for a county described in section 22(a) of this chapter, the  
 19 projected revenue that shall be distributed to charter schools as  
 20 provided in subsection (d). The revenue spending plan shall also  
 21 take into consideration deviations in the proposed revenue  
 22 spending plan if the actual charter school distributions exceed or  
 23 are lower than the projected charter school distributions described  
 24 in subsection (d). The resolution shall include for each charter  
 25 school that elects to participate under subsection (i) information  
 26 described in subdivisions (1) through (3).

27 (h) A school corporation shall specify in its proposed budget the  
 28 school corporation's revenue spending plan adopted under subsection  
 29 (g) and annually present the revenue spending plan at its public hearing  
 30 on the proposed budget under IC 6-1.1-17-3.

31 (i) This subsection applies to a resolution described in subsection  
 32 (a) for a county described in section 22(a) of this chapter that is  
 33 adopted after May 10, 2023. At least forty-five (45) days before the  
 34 resolution described in subsection (a) is voted on by the governing  
 35 body, the school corporation shall contact each charter school,  
 36 excluding virtual charter schools or adult high schools, disclosed by the  
 37 department to the school corporation under subsection (f) to determine  
 38 whether the charter school will participate in the referendum. *The*  
 39 *notice must include the total amount of the school corporation's*  
 40 *expected need, the corresponding estimate of that amount divided by*  
 41 *the number of students enrolled in the school corporation, and the date*  
 42 *on which the governing body of the school corporation will vote on the*



1 *resolution*. The charter school must respond in writing to the school  
 2 corporation, *which may be by electronic mail addressed to the*  
 3 *superintendent of the school corporation*, at least fifteen (15) days  
 4 prior to the date that the resolution described in subsection (a) is to be  
 5 voted on by the governing body. If the charter school elects to not  
 6 participate in the referendum, the school corporation may exclude  
 7 distributions to the charter school under section 22 of this chapter and  
 8 from the projection described in subsection (d). If the charter school  
 9 elects to participate in the referendum, the charter school may receive  
 10 distributions under section 22 of this chapter and must be included in  
 11 the projection described in subsection (d). In addition, a charter school  
 12 that elects to participate in the referendum under this subsection shall  
 13 contribute a proportionate share of the cost to conduct the referendum  
 14 based on the total combined ADM of the school corporation and any  
 15 participating charter schools.

16 (j) This subsection applies to a resolution described in subsection  
 17 (a) for a county described in section 22(a) of this chapter that is  
 18 adopted after May 10, 2023. At least thirty (30) days before the  
 19 *resolution described in subsection (a) referendum submitted to the*  
 20 *voters under this chapter* is voted on by the ~~*governing body*~~, *public in*  
 21 *a primary or general election*, the school corporation that is pursuing  
 22 the ~~*resolution referendum*~~ and any charter school that has elected to  
 23 participate under subsection (i) shall post a referendum disclosure  
 24 statement on each school's respective website that contains the  
 25 following information:

26 (1) The salaries ~~*of all employees employed*~~ *by position within the*  
 27 *school corporation or charter school listed from highest salary to*  
 28 *lowest salary and a link to Gateway Indiana for access to*  
 29 *individual salaries*.

30 (2) An acknowledgment that the school corporation or charter  
 31 school is not committing any crime described in IC 35-44.1-1.

32 (3) A link to the school corporation's or charter school's most  
 33 recent state board of accounts audit on the state board of accounts'  
 34 website.

35 (4) The current enrollment of the school corporation or charter  
 36 school disaggregated by student group and race.

37 (5) The school corporation's or charter school's high school  
 38 graduation rate.

39 (6) The school corporation's or charter school's annual retention  
 40 rate for teachers for the previous five (5) years.

41 SECTION 8. IC 20-46-9-14, AS AMENDED BY P.L.227-2023,  
 42 SECTION 136, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) The referendum shall be  
 2 held in the next ~~primary election~~, general election, or ~~municipal~~  
 3 ~~election as provided under IC 3-10-9-3(b)~~, in which all the registered  
 4 voters who are residents of the school corporation are entitled to vote  
 5 after certification of the question. ~~under IC 3-10-9-3~~. The certification  
 6 of the question must occur not later than noon

7 (1) ~~seventy-four (74) days before a primary election if the~~  
 8 ~~question is to be placed on the primary or municipal primary~~  
 9 ~~election ballot; or~~

10 (2) August 1. if the question is to be placed on the general or  
 11 municipal election ballot.

12 (b) However, if a ~~primary election~~, general election, or ~~municipal~~  
 13 ~~election will not be held during the first year in which the public~~  
 14 ~~question is eligible to be placed on the ballot under this chapter and if~~  
 15 ~~the school corporation requests the public question to be placed on the~~  
 16 ~~ballot at a special election~~, the public question shall be placed on the  
 17 ballot at a special election to be held on the first Tuesday after the first  
 18 Monday in May or November of the year. The certification must occur  
 19 not later than noon:

20 (1) ~~seventy-four (74) days before a special election to be held in~~  
 21 ~~May (if the special election is to be held in May); or~~

22 (2) August 1 (if the special election is to be held in November).

23 (c) If the referendum is not conducted at a primary election, general  
 24 election, or municipal election, the school corporation in which the  
 25 referendum is to be held shall pay all the costs of holding the  
 26 referendum.

