

SENATE BILL No. 189

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-7.1-3.

Synopsis: School buildings. Provides that the governing body of the School City of Hammond school corporation is exempt from compliance with certain requirements concerning the Gavit High School building.

Effective: July 1, 2025.

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January 8, 2025, read first time and referred to Committee on Education and Career Development.



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.

SENATE BILL No. 189

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 20-26-7.1-3, AS AMENDED BY P.L.36-2024,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 3. (a) Except as provided in section 1 of this
4 chapter or subsection (b), (c), or (d), before a governing body may sell,
5 exchange, lease, demolish, hold without operating, or dispose of a
6 covered school building, a governing body shall make available for
7 lease or purchase by a charter school or state educational institution
8 any covered school building owned by the school corporation or any
9 other entity that is related in any way to, or created by, the school
10 corporation or the governing body, including a building corporation,
11 that the governing body elects to close or the school corporation is
12 required to close under IC 20-26-7-47, in order for the covered school
13 building to be used by a:

- 14 (1) charter school to conduct prekindergarten through grade 12
- 15 classroom instruction; or
- 16 (2) state educational institution for an academic purpose.

17 (b) The following are not required to comply with this chapter:



- 1 (1) A governing body that vacates a covered school building in
 2 order to:
- 3 (A) renovate the covered school building for a future
 4 allowable use by the school corporation as permitted under
 5 IC 20-26-7-47; or
- 6 (B) demolish the covered school building, in whole or part,
 7 and build a new school building or an addition to a school
 8 building on the same site as the demolished building.
- 9 (2) An emergency manager of a distressed school corporation
 10 under IC 6-1.1-20.3.
- 11 (3) The governing body of the School City of East Chicago school
 12 corporation for the Carrie Gosch Elementary School building.
- 13 (4) A school corporation that has had a designation as a distressed
 14 political subdivision under IC 6-1.1-20.3 within the previous three
 15 (3) years.
- 16 **(5) The governing body of the School City of Hammond school**
 17 **corporation for the Gavitt High School building.**
- 18 (c) This section does not apply to a covered school building in
 19 which a governing body under IC 20-26-5-4(a)(7) entered a lease prior
 20 to January 1, 2019, with a state accredited nonpublic school. In
 21 addition, the governing body may, during or at the expiration of the
 22 term of such lease, sell the school building leased under
 23 IC 20-26-5-4(a)(7) to the nonpublic school at a purchase price mutually
 24 agreed to by the governing body and the nonpublic school.
- 25 (d) This section does not apply to a covered school building of a
 26 school corporation to which the following apply:
- 27 (1) The school corporation had, before January 1, 2023, entered
 28 into a lease or memorandum of understanding with a nonprofit
 29 organization exempt from federal taxation under Section
 30 501(c)(3) through 501(c)(7) of the Internal Revenue Code for the
 31 use of the covered school building.
- 32 (2) The lease or memorandum of understanding described in
 33 subdivision (1):
- 34 (A) continues in effect;
- 35 (B) is renewed; or
- 36 (C) is replaced by a new lease or memorandum of
 37 understanding that is entered into between the school
 38 corporation and the nonprofit organization described in
 39 subdivision (1).
- 40 (3) The nonprofit organization described in subdivision (1) uses
 41 the covered school building for an educational purpose
 42 throughout the term of any lease or memorandum of



1 understanding.
2 If at any time the conditions under subdivisions (2) and (3) are not met,
3 the covered school building is subject to IC 20-26-7-47 and this
4 chapter.
5 (e) A covered school building that a school corporation closes or is
6 required to close may not be retained by the school corporation for
7 storage or office use unless the conditions of IC 20-26-7-47(e)(3),
8 IC 20-26-7-47(e)(4), or IC 20-26-7-47(e)(5) are met.

