## **SENATE BILL No. 375**

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-1.1-20.3-17; IC 20-24-3; IC 20-26-5-40.

**Synopsis:** Gary Community School Corporation. Provides that the Gary Community School Corporation's school improvement fund may be used for school building construction, including the preservation of historical buildings. Provides that the governing body of a school corporation may enter into a public-private agreement for the construction of new school buildings after review of the agreement by the budget committee. Prohibits an authorizer from granting to an organizer a charter to operate a charter school that is or will be located within the boundaries of the city of Gary.

Effective: Upon passage.

## Melton

January 14, 2021, read first time and referred to Committee on Appropriations.



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.

## SENATE BILL No. 375

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

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

SECTION 1. IC 6-1.1-20.3-17, AS AMENDED BY P.L.154-2020,
SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
UPON PASSAGE]: Sec. 17. (a) If the distressed unit appeal board
delays or suspends, for a period determined by the board, any payments
on loans or advances from the common school fund under section 6.8
of this chapter, the distressed unit appeal board may recommend to the
state board of finance that the term of the loans or advances be
extended. If the distressed unit appeal board makes a recommendation
to extend the term of the loan or advances, the state board of finance
may extend the term of the loans or advances for a period of time that
is equal to or less than the number of months for which the payments
are delayed or suspended.
(1) TC

- (b) If payments on loans or advances from the common school fund are suspended under section 6.8 of this chapter, the distressed unit appeal board shall require that the school corporation:
  - (1) establish a school improvement fund; and
  - (2) transfer to the school improvement fund an amount equal to



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may be used only for the following purposes:  (1) Repair, renovation, or other improvements to school building and property being used for education purposes as of July 1, 202 (2) Demolition of school buildings or other structures on schoproperty in existence as of July 1, 2020.  (3) School building construction, including the preservation historical buildings.  (d) All expenditures from a school improvement fund establish under subsection (b)(1) must be approved by the distressed unit app board.  (e) A school corporation may, on an annual basis, levy a tax in debt service fund equal to the amount that would have been deduct from the distribution of state tuition support for the payment of los made under section 6.8 of this chapter during calendar year 2020 if loans had not been suspended. The amount received from a tax und this subsection must be transferred from the debt service fund to education fund.  (f) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b)((g) This section expires January 1, 2025.  SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTT UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COI AS A NEW SECTION TO READ AS FOLLOWS [EFFECTT UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing stude enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within to boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COI AS A NEW SECTION TO READ AS FOLLOWS [EFFECTT]		
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loans had not been suspended. The amount received from a tax und this subsection must be transferred from the debt service fund to education fund.  (f) With the approval of the distressed unit appeal board, a sche corporation may spend other funds of the school corporation for purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b)((g) This section expires January 1, 2025.  SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVEON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COLAS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVEON PASSAGE]: Sec. 1.5. For the purpose of stabilizing stude enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within the boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COLAS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVED AS A NEW SECTIO	15	from the distribution of state tuition support for the payment of loans
this subsection must be transferred from the debt service fund to reducation fund.  (f) With the approval of the distressed unit appeal board, a sche corporation may spend other funds of the school corporation for a purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b)(  (g) This section expires January 1, 2025.  SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20  SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing study enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within the boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	16	made under section 6.8 of this chapter during calendar year 2020 if the
corporation fund.  (f) With the approval of the distressed unit appeal board, a sched corporation may spend other funds of the school corporation for a purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b)( (g) This section expires January 1, 2025.  SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing study enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within the boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE] AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	17	loans had not been suspended. The amount received from a tax under
20 (f) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for a purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b) (g) This section expires January 1, 2025.  25 SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20 26 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  28 SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing study enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within the boundaries of the city of Gary.  28 SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	18	this subsection must be transferred from the debt service fund to the
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purposes described in subsection (c) and reimburse the expenditure from a school improvement fund established under subsection (b) (g) This section expires January 1, 2025.  SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20  SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to operate a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing studies are in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within the boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COID AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	20	(f) With the approval of the distressed unit appeal board, a school
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24 (g) This section expires January 1, 2025. 25 SECTION 2. IC 20-24-3-1, AS AMENDED BY P.L.280-20 26 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article. 26 SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COLORS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. For the purpose of stabilizing study enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within to boundaries of the city of Gary. 28 SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COLORS SECTION 4. IC 20-26	22	purposes described in subsection (c) and reimburse the expenditures
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SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTION 20] UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of the chapter, an authorizer may grant a charter to an organizer to oper a charter school under this article.  SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COLOMS [EFFECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COLOMS [EFFECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA	24	(g) This section expires January 1, 2025.
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SECTION 3. IC 20-24-3-1.5 IS ADDED TO THE INDIANA COL AS A NEW SECTION TO READ AS FOLLOWS [EFFECTION TO READ AS FOLLOWS [EFFEC	28	chapter, an authorizer may grant a charter to an organizer to operate
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTION TO READ AS FOLLOWS	29	a charter school under this article.
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enrollment in the Gary Community School Corporation due to decrease in the student population, an authorizer may not grant an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within to boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COLAS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	31	AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTIVE
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an organizer a charter to operate a charter school, including conversion charter school, that is or will be located within to boundaries of the city of Gary.  SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COLASS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]	33	enrollment in the Gary Community School Corporation due to a
<ul> <li>conversion charter school, that is or will be located within to boundaries of the city of Gary.</li> <li>SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COL</li> <li>AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]</li> </ul>	34	decrease in the student population, an authorizer may not grant to
<ul> <li>boundaries of the city of Gary.</li> <li>SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COI</li> <li>AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE]</li> </ul>	35	an organizer a charter to operate a charter school, including a
38 SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA COI 39 AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTIVE]	36	conversion charter school, that is or will be located within the
39 AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTI	37	boundaries of the city of Gary.
<u>L</u>	38	SECTION 4. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE
40 UPON PASSAGE]: Sec. 40. (a) Subject to subsection (b), t	39	AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTIVE
		UPON PASSAGE]: Sec. 40. (a) Subject to subsection (b), the
governing body of a school corporation may enter into	41	governing body of a school corporation may enter into a

public-private agreement for the construction of new school



1	buildings.
2	(b) Before the governing body of a school corporation may enter
3	into a public-private agreement under this section, the projec
4	plan, including the:
5	(1) terms of the agreement;
6	(2) total and annual cost to the school corporation; and
7	(3) source of funding for the agreement, which may include
8	funds from a school improvement fund established under
9	IC 6-1.1-20.3-17;
10	must be reviewed by the budget committee.
11	SECTION 5. An emergency is declared for this act.

