

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 397**

Citations Affected: IC 6-1.1-18.5-10.3; IC 9-21-12-11; IC 10-13-3-21; IC 20-1-19-23; IC 20-3-14-7; IC 20-4; IC 20-8.1-7-11; IC 20-9.1-5-22; IC 20-10.1-25.5-3; IC 20-12-76; IC 20-20-14-3; IC 20-23; IC 20-25; IC 20-26; IC 20-27; IC 20-28-1-10; IC 20-33-8-33; IC 20-34-4-6; IC 20-35; IC 20-37-1-1; IC 33-33-53-5; IC 36-1-14-1.

Synopsis: Various matters concerning education. Specifies that, if the governing bodies of two or more school corporations agree to cooperate and apportion the cost of vocational education schools or departments, the designated representatives of the school corporations constitute a board for the management of the schools or departments. Specifies the criminal intent necessary to commit crimes involving: (1) postsecondary proprietary educational institution accreditation; and (2) school bus use. Specifies that a principal and not the governing body of a school corporation submits information to the bureau of motor vehicles concerning: (1) an individual's ineligibility to be issued a driver's license or learner's permit; and (2) the invalidation of a license or permit. Repeals obsolete or superseded provisions, including provisions concerning purchase of textbooks, school taxing powers, school reorganization, school bonding, transportation of pupils, county schools, and annexation of territory. Makes conforming amendments. (The introduced version of this bill was prepared by the code revision commission.) **(This conference committee report changes the criminal intent necessary to commit certain crimes.)**

Effective: July 1, 2005.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 397 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert:
- 2 SECTION 1. IC 6-1.1-18.5-10.3, AS AMENDED BY P.L.2-2005,
- 3 SECTION 88, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: Sec. 10.3. (a) The ad valorem property
- 5 tax levy limits imposed by section 3 of this chapter do not apply to ad
- 6 valorem property taxes imposed by a library board for a capital projects
- 7 fund under ~~IC 36-12-3~~ **IC 36-12-12**. However, the maximum amount
- 8 that is exempt from the levy limits under this section may not exceed
- 9 the property taxes that would be raised in the ensuing calendar year
- 10 with a property tax rate of one and thirty-three hundredths cents
- 11 (\$0.0133) per one hundred dollars (\$100) of assessed valuation.
- 12 (b) For purposes of computing the ad valorem property tax levy limit
- 13 imposed on a library board under section 3 of this chapter, the library
- 14 board's ad valorem property tax levy for a particular calendar year does
- 15 not include that part of the levy imposed under ~~IC 36-12-3~~ **IC 36-12-12**
- 16 that is exempt from the ad valorem property tax levy limits under
- 17 subsection (a).
- 18 SECTION 2. IC 9-21-5-13, AS AMENDED BY HEA 1288-2005,
- 19 SECTION 23, IS AMENDED TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) Except as provided in
- 21 subsections (b) and (c), a person who violates this chapter commits a
- 22 Class C infraction.
- 23 (b) A person who exceeds a speed limit that is:

1 (1) established under section 6 of this chapter and imposed only in
 2 the immediate vicinity of a school when children are present; or
 3 (2) established under section 11 of this chapter and imposed only
 4 in the immediate vicinity of a worksite when workers are present;
 5 commits a Class B infraction.

6 (c) A person who while operating a school bus **knowingly or**
 7 **intentionally** exceeds a speed limit set forth in section 14 of this
 8 chapter commits a Class C misdemeanor.

9 SECTION 3. IC 9-21-12-11, AS AMENDED BY HEA 1288-2005,
 10 SECTION 25, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) A person who violates
 12 section 5, 6, or 7 of this chapter commits a Class C infraction.

13 (b) A person who **knowingly or intentionally** violates section 12, 13,
 14 14, 15, 16, or 17 of this chapter commits a Class C misdemeanor.

15 SECTION 4. IC 10-13-3-21, AS AMENDED BY HEA 1288-2005,
 16 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2005]: Sec. 21. As used in this chapter, "special
 18 education cooperative" has the meaning set forth in ~~IC 20-35-5-1(a)(7)~~.
 19 **IC 20-35-5-1(7)**.

20 SECTION 5. IC 20-1-18-7 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) Two (2) or more
 22 school corporations may cooperate to establish and maintain or
 23 supervise schools or departments for vocational education if the
 24 governing bodies of these school corporations agree to cooperate and
 25 apportion the cost of the schools or departments among the school
 26 corporations.

27 (b) If the cooperating school corporations agree to establish and
 28 maintain or supervise the schools or departments under subsection (a),
 29 the ~~heads of these~~ **designated representatives of the** school
 30 corporations ~~or their delegated representatives~~ constitute a board for the
 31 management of the schools or departments. The board may adopt a plan
 32 of organization, administration, and support for the schools or
 33 departments. This plan, if approved by the Indiana state board of
 34 education, constitutes a binding contract between the cooperating
 35 school corporations.

36 (c) The governing bodies of the cooperating school corporations may
 37 cancel or annul this contract by the vote of a majority of these
 38 governing bodies and upon the approval of the Indiana state board of
 39 education. However, if a school corporation desires to withdraw a
 40 course offering from the cooperative agreement after:

41 (1) attempting to withdraw the course offering under any
 42 withdrawal procedure authorized by the school corporation's
 43 cooperative agreement or by law; and

44 (2) being denied the authority to withdraw the course offering;
 45 the school corporation may appeal the denial to the Indiana state board
 46 of education. In the appeal a school corporation must submit a proposal
 47 requesting the withdrawal to the Indiana state board of education for
 48 approval. The proposal must describe how the school corporation
 49 intends to implement the particular vocational education course and
 50 must include a provision that provides for at least a two (2) year
 51 phase-out of the educational program or course offering from the

1 cooperative agreement. Upon approval of the proposal by the Indiana
 2 state board of education, the school corporation may proceed with the
 3 school corporation's withdrawal of the course offering from the
 4 agreement and shall proceed under the proposal. This withdrawal
 5 procedure may not be construed to permit a school corporation to
 6 change any other terms of the contract under subsection (b) except
 7 those terms that require the school corporation to provide the particular
 8 course offering sought to be withdrawn.

9 (d) The board described in subsection (b) may enter into an
 10 agreement to acquire sites, buildings, and equipment by lease or
 11 purchase that are suitable for these schools or departments. This
 12 authority extends to the acquisition of facilities available under
 13 IC 21-5-11.

14 (e) This board may, by resolution adopted by a majority of the board,
 15 designate three (3) or more individuals from its membership to
 16 constitute an executive committee. To the extent provided in the
 17 resolution, this committee shall exercise the authority of the full board
 18 in the management of the school and shall submit a written summary of
 19 its actions to the full board at least semiannually.

20 SECTION 6. IC 20-1-19-23 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 23. (a) A person who
 22 **knowingly, intentionally, or recklessly** violates this chapter commits
 23 a Class B misdemeanor, except as provided in subsection (b) of this
 24 section.

25 (b) A person who, with intent to defraud, represents himself **or**
 26 **herself** to be an agent of a postsecondary proprietary educational
 27 institution commits a Class C felony.

28 SECTION 7. IC 20-3-14-7 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. With respect to
 30 whether the disposition of the assets and liabilities of the losing school
 31 corporation, allocation of school tax receipts, and the amount to be paid
 32 by the acquiring school corporation is equitable, the court shall be
 33 satisfied that the annexing resolution conforms substantially to the
 34 following standards:

35 (a) The acquiring school corporation shall assume a portion of all
 36 installments of principal and interest on any indebtedness of the losing
 37 school corporation (other than current obligations or temporary
 38 borrowing) which fall due after the end of the last calendar year in
 39 which the losing school corporation is entitled to receive current tax
 40 receipts from property tax levies on the property on the annexed
 41 territory. ~~Such~~ **The portion shall consist consists** of the following:

42 (1) All ~~such~~ installments relating to any indebtedness incurred in
 43 connection with the acquisition or construction of any building
 44 located in the annexed territory.

45 (2) A proportion of all ~~such~~ installments relating to any other
 46 indebtedness which is the same proportion as the valuation of the
 47 real property in the annexed territory bears to the valuation of all
 48 the real property in the losing school corporation, as the same is
 49 assessed for general taxation immediately prior to annexation.

50 (b) The acquiring school corporation shall make the payments and
 51 assume the obligations provided for a school corporation acquiring

1 territory ~~and/or or~~ building or buildings under IC 21-5-10.

2 (c) ~~Unless the losing school corporation shall consent to some other~~
 3 ~~allocation, the portion of the special school and tuition fund moneys~~
 4 ~~collected by the losing school corporation shall not be allocated in a~~
 5 ~~greater amount to the acquiring school corporation than would be~~
 6 ~~awarded if such two (2) corporations were respectively the original~~
 7 ~~school corporation and the annexing school corporation within the~~
 8 ~~meaning of IC 20-4-16, and the amount to be paid the losing~~
 9 ~~corporation by the acquiring school corporation on account of the~~
 10 ~~acquisition by the acquiring school corporation of a building in the~~
 11 ~~annexed territory shall not be less than would be awarded if such two~~
 12 ~~(2) school corporations were respectively the acquiring corporation and~~
 13 ~~original school corporation within the meaning of IC 20-4-15.~~

14 ~~(d)~~ (c) Where the annexed territory includes all of any losing school
 15 corporation, the acquiring school corporation shall acquire all of the
 16 property and assets of the losing school corporation without making
 17 payment of any nature for the same and shall assume all of the
 18 liabilities and obligations of the losing school corporation.

19 SECTION 8. IC 20-4-1-3 IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2005]: Sec. 3. As used in this chapter, unless
 21 context clearly requires otherwise, the following terms shall have the
 22 meanings set forth:

23 (1) "School corporation" ~~shall mean and include~~ **means** all local
 24 school corporations in the state of Indiana.

25 (2) "Reorganization of school corporations" ~~shall mean and include~~
 26 **means** the formation of new school corporations, the alteration of
 27 the boundaries of established school corporations, and the
 28 dissolution of established school corporations, through or by means
 29 of:

30 ~~(a)~~ (A) the uniting of two (2) or more established school
 31 corporations;

32 ~~(b)~~ (B) the subdivision of one (1) or more school corporations;

33 ~~(c)~~ (C) the transfer to any established school corporation of a part
 34 of the territory of one (1) or more school corporations, or the
 35 attachment thereto of all or any part of the territory of one (1) or
 36 more school corporations, or the transfer of said established
 37 school corporation; and

38 ~~(d)~~ (D) any combination of the methods listed in ~~subdivisions (a)~~
 39 **clauses (A) through (c): (C).**

40 (3) "Community school corporation" ~~shall mean~~ **means** a school
 41 corporation proposed to be formed or formed under the provisions
 42 of this chapter and shall include a united school corporation as
 43 defined in this section.

44 (4) "United school corporation" ~~shall mean~~ **means** a school
 45 corporation having territory in two (2) or more adjacent counties.

46 (5) "Administrative unit" ~~shall mean~~ **means** a school corporation
 47 comprising all the area under a single system of local
 48 administration and under the control of a local board of education,
 49 board of school trustees, or board of school commissioners.

50 (6) "Attendance unit" or "school unit" ~~shall mean~~ **means** the
 51 geographical and population area served by a single school,

- 1 consisting of part, or all, of an administrative unit.
- 2 (7) "County committee" or "committee" ~~shall mean means~~ the
- 3 county committee for the reorganization of school corporations,
- 4 provided for in section 5 through ~~14~~ 13 of this chapter.
- 5 (8) "State board" or "board" ~~shall mean refers to~~ the Indiana state
- 6 board of education.
- 7 (9) "State department" ~~shall mean refers to~~ the state department of
- 8 education.
- 9 (10) "State superintendent" ~~shall mean refers to~~ the state
- 10 superintendent of public instruction.
- 11 (11) "County superintendent" ~~shall mean refers to~~ the county
- 12 superintendent of schools.
- 13 (12) "Party" includes any person, firm, limited liability company,
- 14 corporation, association, or municipality interested in any
- 15 proceedings under the provisions of this chapter.
- 16 (13) "School aid bonds" ~~shall mean means~~ any bonds of a civil unit
- 17 of government the proceeds of which were used for school
- 18 purposes in any school corporation.
- 19 SECTION 9. IC 20-4-4-7 IS AMENDED TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) With respect to whether the
- 21 disposition of the assets and liabilities of the losing school corporation,
- 22 allocation of school tax receipts and the amount to be paid by the
- 23 acquiring school corporation is equitable, the court subject to the
- 24 provisions of subdivision (b) shall be satisfied that the annexing
- 25 resolution conforms substantially to the following standards:
- 26 (1) The acquiring school corporation shall assume a portion of all
- 27 installments of principal and interest on any indebtedness of the
- 28 losing school corporation (other than current obligations or
- 29 temporary borrowing) which fall due after the end of the last
- 30 calendar year in which the losing school corporation is entitled to
- 31 receive current tax receipts from property tax levies on the property
- 32 on the annexed territory. ~~Such~~ The portion ~~shall consist consists~~ of
- 33 the following:
- 34 (i) (A) All ~~such~~ installments relating to any indebtedness
- 35 incurred in connection with the acquisition or construction of any
- 36 building located in the annexed territory. ~~and~~
- 37 (ii) (B) A proportion of all ~~such~~ installments relating to any other
- 38 indebtedness which is the same proportion as the valuation of the
- 39 real property in the annexed territory bears to the valuation of all
- 40 the real property in the losing school corporation, as the same is
- 41 assessed for general taxation immediately prior to annexation.
- 42 (2) The acquiring school corporation shall make the payments and
- 43 assume the obligations provided for school corporation acquiring
- 44 territory and/or building or buildings under IC 21-5-10.
- 45 (3) ~~Unless the losing school corporation shall consent to some~~
- 46 ~~other allocation: the portion of the general fund moneys collected~~
- 47 ~~by the losing school corporation shall not be allocated to the~~
- 48 ~~acquiring school corporation in a greater amount than would be~~
- 49 ~~awarded if such two (2) corporations were respectively the~~
- 50 ~~"original school corporation" and the "annexing school~~
- 51 ~~corporation" within the meaning of IC 20-4-16, using the method~~

1 therein provided for allocating the special school and tuition fund
2 moneys.

3 (b) Such standards shall not be applicable to the extent the losing and
4 acquiring school corporations otherwise agree in a situation where all
5 or a majority of the students in the annexed territory have been
6 transferred from the losing to the acquiring school corporation for the
7 five (5) school years immediately preceding the transfer. Such
8 agreement, as between school corporations, shall not, however,
9 prejudice the rights of bondholders or lessors whose rights as against
10 the losing and acquiring school corporations shall, upon enforcement,
11 be allocated between them in accordance with subsection (a)(1) and (2).

12 SECTION 10. IC 20-4-5-25.5 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 25.5. (a) This section
14 provides an alternative method for a school corporation to reorganize
15 as a community school corporation.

16 (b) The following may petition directly to the state board to be
17 reorganized as a community school corporation:

18 (1) A consolidated school corporation organized under section 2 of
19 this chapter.

20 ~~(2) A county school corporation organized under IC 20-4-8-2.~~

21 ~~(3)~~ (2) A metropolitan school district organized under IC 20-4-8-12
22 or IC 20-4-8-24.

23 (c) The following apply to a school corporation that petitions directly
24 to the state board under subsection (b):

25 (1) The school corporation is not required to do the following:

26 (A) Seek approval of a county committee established by
27 IC 20-4-1-5.

28 (B) Pursue a joint meeting of a county committee and the state
29 board under IC 20-4-1-17.1.

30 (2) The state board may waive the attainment of any standard
31 required for reorganization as a community school corporation
32 under this chapter.

33 SECTION 11. IC 20-4-8-25 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 25. In the resolution
35 creating a county school corporation or metropolitan school district, or
36 in the petitions requesting the creation of or requesting a referendum on
37 the question of creating such corporation or district, under section ~~2~~, 12
38 or 24 of this chapter, the resolutions or petitions may specify when such
39 school corporation or school district shall be created and come into
40 existence, and such corporation or district shall then be created and
41 come into existence at the time provided in all such resolutions or
42 petitions.

43 SECTION 12. IC 20-4-57-7 IS AMENDED TO READ AS
44 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) If the department
45 of local government finance submits a petition to the school property
46 tax control board under section 5 of this chapter, the school property tax
47 control board shall hold a fact finding hearing.

48 (b) At a hearing described in subsection (a), the school property tax
49 control board shall determine the following:

50 (1) Whether the township school has made all payments required
51 by any statute, including the following:

- 1 (A) P.L.32-1999.
- 2 (B) IC 20-4-4-7. ~~and IC 20-4-16-3.~~
- 3 (C) The resolution or plan of annexation of the township school,
- 4 including:
- 5 (i) any amendment to the resolution or plan;
- 6 (ii) any supporting or related documents; and
- 7 (iii) any agreement between the township school and an
- 8 annexing corporation relating to the winding up of affairs of
- 9 the township school.
- 10 (2) The amount, if any, by which the township school is in arrears
- 11 on any payment described in subdivision (1).
- 12 (3) Whether the township school has filed with the department all
- 13 reports concerning the affairs of the township school, including all
- 14 transfer tuition reports required for the two (2) school years
- 15 immediately preceding the date on which the township school was
- 16 annexed.
- 17 (c) In determining the amount of arrears under subsection (b)(2), the
- 18 school property tax control board shall consider all amounts due to an
- 19 annexing corporation, including the following:
- 20 (1) Any transfer tuition payments due to the annexing corporation.
- 21 (2) All levies, excise tax distributions, and state distributions
- 22 received by the township school and due to the annexing
- 23 corporation, including levies and distributions received by the
- 24 township school after the date on which the township school was
- 25 annexed.
- 26 (3) All excessive levies that the township school agreed to impose
- 27 and pay to an annexing corporation but failed to impose.
- 28 (d) If, in a hearing under this section, a school property tax control
- 29 board determines that a township school has:
- 30 (1) under subsection (b)(1), failed to make a required payment; or
- 31 (2) under subsection (b)(3), failed to file a required report;
- 32 the department may act under section 8 of this chapter.
- 33 SECTION 13. IC 20-8.1-5.1-26 IS AMENDED TO READ AS
- 34 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 26. Before February 1
- 35 and before October 1 of each year, except when a hearing has been
- 36 requested under IC 9-24-2-1(a)(4), ~~the governing body of the school~~
- 37 ~~corporation a principal~~ shall submit to the bureau of motor vehicles the
- 38 pertinent information concerning an individual's ineligibility under
- 39 IC 9-24-2-1 to be issued a driver's license or learner's permit, or
- 40 concerning the invalidation of a license or permit under IC 9-24-2-4.
- 41 SECTION 14. IC 20-8.1-7-11 IS AMENDED TO READ AS
- 42 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. (a) Not later than
- 43 sixty (60) days after the enrollment of children for the first time and
- 44 when additional immunizations are required by statute or rule, each
- 45 school shall file a written report with the state department of health and
- 46 the local health department having jurisdiction. The report shall include
- 47 the following:
- 48 (1) A statement of the number of children who have demonstrated
- 49 immunity against diphtheria, pertussis (whooping cough), tetanus,
- 50 measles, rubella, poliomyelitis, mumps, and hepatitis B.
- 51 (2) A statement of the number of children who have not

1 demonstrated immunity against the illnesses listed in subdivision
2 (1).

3 (3) A statement of the number of children who have been found
4 positive for sickle cell anemia and lead poisoning.

5 (b) The state department of health and the local health department
6 shall, for good cause shown that there exists a substantial threat to the
7 health and safety of a student or the school community, be able to
8 validate immunization reports by onsite reviews or examinations of
9 nonidentifying immunization record data. This section does not
10 independently authorize the state department of health, a local
11 department of health, or an agent of the state or local department of
12 health to have access to identifying medical or academic record data of
13 individual students attending nonaccredited nonpublic schools.

14 (c) A **school shall file a report** ~~shall also be filed~~ for each child who
15 enrolls subsequent to the filing of the report for children who enrolled
16 at the beginning of the school year. The state department of health shall
17 have exclusive power to adopt rules for the administration of this
18 section.

19 SECTION 15. IC 20-9.1-5-22 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. (a) Except as
21 provided in subsection (b) or in another section of this article, a person
22 who **knowingly, intentionally, or recklessly** violates chapter 2, 2.5, 3,
23 4, or 5 of this article commits a Class C misdemeanor.

24 (b) A person who violates section 6.6 of this chapter commits a Class
25 B infraction.

26 SECTION 16. IC 20-10.1-11-10 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) Each governing
28 body shall make requisition for the necessary textbooks for the students
29 from the contracting publishers approved by the state board of
30 education. The contracting publisher shall ship the books, within ninety
31 (90) days, directly to these officials. On receipt of the books, each
32 school corporation shall have charge and custody of all books
33 consigned to it, receipting to the contracting publisher for them, and
34 each governing body shall reimburse the contracting publisher the
35 amount owed by the school corporation for these books from its general
36 fund.

37 (b) Each governing body shall purchase with its general fund money
38 any current textbooks, from a resident student who presents them for
39 sale on or before the beginning of the school term in which the books
40 are to be used, at a price based on the original price to the corporation
41 less a reasonable reduction for damage from usage.

42 ~~(c) The proper school authorities shall likewise purchase any stock of~~
43 ~~books which are to be used during any school year from any dealer~~
44 ~~whose business is located in the county in which the school corporation~~
45 ~~is located; and who was authorized by law to sell these books before~~
46 ~~March 1, 1935; at not to exceed the price paid by the dealer to the~~
47 ~~contracting publisher from whom these books were purchased.~~

48 SECTION 17. IC 20-10.1-25.5-3 IS AMENDED TO READ AS
49 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The council shall
50 advise the state superintendent and the governor on education related
51 technology initiatives.

1 (b) The appointed membership of the council shall reflect its purposes
 2 and be experienced in technology generally. An appointed member of
 3 the council serves at the pleasure of the appointing authority. The
 4 council consists of the following sixteen (16) voting members:

5 (1) The state superintendent of public instruction.

6 (2) The special assistant to the state superintendent of public
 7 instruction responsible for technology who is appointed under
 8 section 5 of this chapter.

9 (3) Four (4) individuals who represent private business appointed
 10 jointly by the state superintendent and the governor. Each member
 11 appointed under this subdivision must be experienced in
 12 development and utilization of information technology. None of the
 13 members appointed under this subdivision may represent possible
 14 providers of technology or related services.

15 (4) Three (3) individuals who:

16 (A) manage educational environments, including higher
 17 education; and

18 (B) are experienced in their educational work with information
 19 technology;

20 are appointed jointly by the state superintendent and the governor.

21 (5) Three (3) individuals who are public school educators familiar
 22 with and experienced in the use of technology in educational
 23 settings appointed jointly by the state superintendent and the
 24 governor, with one (1) representing an urban school corporation,
 25 one (1) representing a suburban school corporation, and one (1)
 26 representing a rural school corporation.

27 (6) Four (4) members who are members of the general assembly
 28 and who are appointed as follows:

29 (A) Two (2) members of the house of representatives, appointed
 30 by the speaker of the house of representatives with not more than
 31 one (1) from a particular political party.

32 (B) Two (2) members of the senate, appointed by the president
 33 pro tempore of the senate with not more than one (1) from a
 34 particular political party.

35 (c) The state superintendent shall designate the chair of the council
 36 from the membership of the council.

37 (d) Nine (9) members of the council constitute a quorum to conduct
 38 business. No action of the council is valid unless approved by at least
 39 ~~seven (7)~~ **nine (9)** voting members of the council.

40 (e) Each member of the council who is not a state employee is not
 41 entitled to the minimum salary per diem as provided by
 42 IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement
 43 for traveling expenses as provided under IC 4-13-1-4 and other
 44 expenses actually incurred in connection with the member's duties as
 45 provided in the state policies and procedures established by the Indiana
 46 department of administration and approved by the budget agency.

47 (f) Each member of the council who is a state employee but who is
 48 not a member of the general assembly is entitled to reimbursement for
 49 traveling expenses as provided under IC 4-13-1-4 and other expenses
 50 actually incurred in connection with the member's duties as provided in
 51 the state policies and procedures established by the Indiana department

1 of administration and approved by the budget agency.

2 (g) Each member of the council who is a member of the general
3 assembly is entitled to receive the same per diem, mileage, and travel
4 allowances paid to members of the general assembly serving on interim
5 study committees established by the legislative council.

6 SECTION 18. IC 20-12-76-18, AS ADDED BY HEA 1288-2005,
7 SECTION 34, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2005]: Sec. 18. (a) Subject to subsections (b),
9 (c), (e), and (f), the commission shall determine the penal sum of each
10 surety bond based upon the following guidelines:

11 (1) A postsecondary proprietary educational institution that has no
12 annual gross tuition charges assessed for the previous year shall
13 secure a surety bond in the amount of five thousand dollars
14 (\$5,000).

15 (2) If the postsecondary proprietary educational institution's annual
16 gross tuition charges assessed for the previous year are not more
17 than five thousand dollars (\$5,000), the institution shall secure a
18 surety bond in the amount of one hundred percent (100%) of that
19 institution's annual gross tuition charges assessed for the previous
20 year.

21 (3) If the postsecondary proprietary educational institution's annual
22 gross tuition charges assessed for the previous year are more than
23 five thousand dollars (\$5,000) but less than fifty thousand dollars
24 (\$50,000), the institution shall secure a surety bond in the amount
25 of five thousand dollars (\$5,000).

26 (4) If the postsecondary proprietary educational institution's annual
27 gross tuition charges assessed for the previous year are more than
28 fifty thousand dollars (\$50,000) but less than five hundred
29 thousand dollars (\$500,000), the institution shall secure a surety
30 bond in the amount of ten percent (10%) of that institution's annual
31 gross tuition charges assessed for the previous year.

32 (5) If the postsecondary proprietary educational institution's annual
33 gross tuition charges assessed for the previous year are more than
34 five hundred thousand dollars (\$500,000), the institution shall
35 secure a surety bond in the amount of fifty thousand dollars
36 (\$50,000).

37 (b) When a postsecondary proprietary educational institution is
38 required to contribute to the fund and the fund has a balance on the date
39 that the surety bond is due of at least:

40 (1) one hundred thousand dollars (\$100,000), the commission shall
41 reduce the penal sum of the surety bond described in subsection (a)
42 by twenty percent (20%);

43 (2) two hundred thousand dollars (\$200,000), the commission shall
44 reduce the penal sum of the surety bond described in subsection (a)
45 by forty percent (40%);

46 (3) three hundred thousand dollars (\$300,000), the commission
47 shall reduce the penal sum of the surety bond described in
48 subsection (a) by sixty percent (60%);

49 (4) four hundred thousand dollars (\$400,000), the commission shall
50 reduce the penal sum of the surety bond described in subsection (a)
51 by eighty percent (80%); or

1 (5) five hundred thousand dollars (\$500,000), the commission shall
 2 reduce the penal sum of the surety bond described in subsection (a)
 3 by one hundred percent (100%).

4 (c) Except as provided in:

5 (1) section ~~22~~ 21 of this chapter; and

6 (2) subsection (f);

7 and upon the fund achieving at least an initial five hundred thousand
 8 dollar (\$500,000) balance, each postsecondary proprietary educational
 9 institution that contributes to the fund when the initial quarterly
 10 contribution as required under this chapter after the fund's
 11 establishment is not required to make contributions to the fund or
 12 submit a surety bond.

13 (d) The commission shall determine the number of quarterly
 14 contributions required for the fund to initially accumulate five hundred
 15 thousand dollars (\$500,000).

16 (e) Except as provided in section ~~22~~ 21 of this chapter and subsection
 17 (f), postsecondary proprietary educational institutions that begin
 18 making contributions to the fund after the initial quarterly contribution
 19 as required under this chapter are:

20 (1) required to make contributions to the fund for the same number
 21 of quarters as determined by the commission under subsection (d);
 22 and

23 (2) after making the contributions to the fund as provided in
 24 subdivision (1) for the required number of quarters, may not be
 25 required to submit a surety bond.

26 (f) If after the fund acquires five hundred thousand dollars (\$500,000)
 27 the balance in the fund becomes less than one hundred thousand dollars
 28 (\$100,000), all postsecondary proprietary educational institutions not
 29 required to make contributions to the fund as described in subsection
 30 (c) or (e) shall make contributions to the fund for the number of
 31 quarters necessary for the fund to accumulate five hundred thousand
 32 dollars (\$500,000).

33 SECTION 19. IC 20-12-76-40, AS ADDED BY HEA 1288-2005,
 34 SECTION 34, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2005]: Sec. 40. (a) Except as provided in
 36 subsection (b), a person who **knowingly, intentionally, or recklessly**
 37 violates this chapter commits a Class B misdemeanor.

38 (b) A person who, with intent to defraud, represents the person to be
 39 an agent of a postsecondary proprietary educational institution commits
 40 a Class C felony.

41 SECTION 20. IC 20-20-14-3 AS ADDED BY HEA 1288-2005,
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 43 JULY 1, 2005]: Sec. 3. (a) The council shall advise the state
 44 superintendent and the governor on education related technology
 45 initiatives.

46 (b) The appointed membership of the council shall reflect its purposes
 47 and be experienced in technology generally. An appointed member of
 48 the council serves at the pleasure of the appointing authority. The
 49 council consists of the following sixteen (16) voting members:

50 (1) The state superintendent.

51 (2) The special assistant to the state superintendent of public

- 1 instruction responsible for technology who is appointed under
 2 section 5 of this chapter.
- 3 (3) Four (4) individuals who represent private business appointed
 4 jointly by the state superintendent and the governor. Each member
 5 appointed under this subdivision must be experienced in
 6 development and use of information technology. A member
 7 appointed under this subdivision may not represent possible
 8 providers of technology or related services.
- 9 (4) Three (3) individuals who:
- 10 (A) manage educational environments, including higher
 11 education; and
- 12 (B) are experienced in their educational work with information
 13 technology;
- 14 are appointed jointly by the state superintendent and the governor.
- 15 (5) Three (3) individuals who are public school educators familiar
 16 with and experienced in the use of technology in educational
 17 settings appointed jointly by the state superintendent and the
 18 governor, with one (1) representing an urban school corporation,
 19 one (1) representing a suburban school corporation, and one (1)
 20 representing a rural school corporation.
- 21 (6) Four (4) members who are members of the general assembly
 22 and who are appointed as follows:
- 23 (A) Two (2) members of the house of representatives, appointed
 24 by the speaker of the house of representatives with not more than
 25 one (1) from a particular political party.
- 26 (B) Two (2) members of the senate, appointed by the president
 27 pro tempore of the senate with not more than one (1) from a
 28 particular political party.
- 29 (c) The state superintendent shall designate the chair of the council
 30 from the membership of the council.
- 31 (d) Nine (9) members of the council constitute a quorum to conduct
 32 business. Action of the council is not valid unless approved by at least
 33 ~~seven (7)~~ **nine (9)** voting members of the council.
- 34 (e) Each member of the council who is not a state employee is not
 35 entitled to the minimum salary per diem as provided by
 36 IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement
 37 for traveling expenses as provided under IC 4-13-1-4 and other
 38 expenses actually incurred in connection with the member's duties as
 39 provided in the state policies and procedures established by the Indiana
 40 department of administration and approved by the budget agency.
- 41 (f) Each member of the council who is a state employee but who is
 42 not a member of the general assembly is entitled to reimbursement for
 43 traveling expenses as provided under IC 4-13-1-4 and other expenses
 44 actually incurred in connection with the member's duties as provided in
 45 the state policies and procedures established by the Indiana department
 46 of administration and approved by the budget agency.
- 47 (g) Each member of the council who is a member of the general
 48 assembly is entitled to receive the same per diem, mileage, and travel
 49 allowances paid to members of the general assembly serving on interim
 50 study committees established by the legislative council.
- 51 SECTION 21. IC 20-23-5-12, AS ADDED BY HEA 1288-2005,

1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2005]: Sec. 12. (a) With respect to whether the disposition of
3 the assets and liabilities of the losing school corporation, allocation of
4 school tax receipts, and the amount to be paid by the acquiring school
5 corporation is equitable, the court, subject to subsection (b), shall be
6 satisfied that the annexing resolution conforms substantially to the
7 following standards:

8 (1) The acquiring school corporation shall assume a part of all
9 installments of principal and interest on any indebtedness of the
10 losing school corporation (other than current obligations or
11 temporary borrowing) that fall due after the end of the last calendar
12 year in which the losing school corporation is entitled to receive
13 current tax receipts from property tax levies on the property of the
14 annexed territory. The part consists of the following:

15 (A) All installments relating to any indebtedness incurred in
16 connection with the acquisition or construction of any building
17 located in the annexed territory.

18 (B) A proportion of all installments relating to any other
19 indebtedness that is the same proportion as the valuation of the
20 real property in the annexed territory bears to the valuation of all
21 the real property in the losing school corporation, as the
22 indebtedness is assessed for general taxation immediately before
23 annexation.

24 (2) The acquiring school corporation shall make the payments and
25 assume the obligations provided for a school corporation acquiring
26 territory or a building or buildings under IC 21-5-10.

27 ~~(3) Unless the losing school corporation consents to some other~~
28 ~~allocation, the part of the general fund money collected by the~~
29 ~~losing school corporation may not be allocated to the acquiring~~
30 ~~school corporation in a greater amount than would be awarded if~~
31 ~~the losing school corporation and the acquiring school corporation~~
32 ~~were respectively the "original school corporation" and the~~
33 ~~"annexing school corporation" within the meaning of IC 20-23-16,~~
34 ~~using the method provided in IC 20-23-16 for allocating the special~~
35 ~~school and tuition fund money.~~

36 (b) Standards under subsection (a) may not be applicable to the extent
37 the losing school corporation and acquiring school corporation
38 otherwise agree in a situation where all or a majority of the students in
39 the annexed territory have been transferred from the losing school
40 corporation to the acquiring school corporation for the five (5) school
41 years immediately preceding the transfer. The agreement between
42 school corporations may not prejudice the rights of bondholders or
43 lessors whose rights against the losing school corporation and acquiring
44 school corporation shall, upon enforcement, be allocated between the
45 losing school corporation and acquiring school corporation in
46 accordance with subsection (a)(1) and (a)(2).

47 SECTION 22. IC 20-23-6-12, AS ADDED BY HEA 1288-2005,
48 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
49 JULY 1, 2005]: Sec. 12. (a) This section provides an alternative method
50 for a school corporation to be reorganized as a community school
51 corporation.

1 (b) The following may petition directly to the state board to be
2 reorganized as a community school corporation:

3 (1) A consolidated school corporation organized under section 3 of
4 this chapter.

5 ~~(2) A county school corporation organized under IC 20-23-16-15.~~
6 ~~(3)~~ (2) A metropolitan school district organized under IC 20-23-7-2
7 or IC 20-23-7-12.

8 (c) The following apply to a school corporation that petitions directly
9 to the state board under subsection (b):

10 (1) The school corporation is not required to do the following:

11 (A) Seek approval of a county committee established by
12 IC 20-23-4-11.

13 (B) Pursue a joint meeting of a county committee and the state
14 board under IC 20-23-4-18.

15 (2) The state board may waive the attainment of any standard
16 required for reorganization as a community school corporation
17 under this chapter.

18 SECTION 23. IC 20-23-7-13, AS ADDED BY HEA 1288-2005,
19 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2005]: Sec. 13. In the resolution creating a county school
21 corporation or metropolitan school district or in the petitions requesting
22 the creation of or requesting a referendum on the question of creating
23 a corporation or district under ~~IC 20-23-16-15~~ or section 2 or 12 of this
24 chapter, the resolutions or petitions may specify when a school
25 corporation or school district shall be created and the corporation or
26 district shall then be created at the time provided in the resolutions or
27 petitions.

28 SECTION 24. IC 20-23-9-6, AS ADDED BY HEA 1288-2005,
29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2005]: Sec. 6. (a) If the department of local government
31 finance submits a petition to the school property tax control board
32 under section 5 of this chapter, the school property tax control board
33 shall hold a factfinding hearing.

34 (b) At a hearing described in subsection (a), the school property tax
35 control board shall determine the following:

36 (1) Whether the township school has made all payments required
37 by any statute, including the following:

38 (A) P.L.32-1999.

39 (B) IC 20-23-5-12. ~~and IC 20-23-16-37.~~

40 (C) The resolution or plan of annexation of the township school,
41 including:

42 (i) any amendment to the resolution or plan;

43 (ii) any supporting or related documents; and

44 (iii) any agreement between the township school and an
45 annexing corporation relating to the winding up of affairs of
46 the township school.

47 (2) The amount, if any, by which the township school is in arrears
48 on any payment described in subdivision (1).

49 (3) Whether the township school has filed with the department of
50 local government finance all reports concerning the affairs of the
51 township school, including all transfer tuition reports required for

1 the two (2) school years immediately preceding the date on which
2 the township school was annexed.

3 (c) In determining the amount of arrears under subsection (b)(2), the
4 school property tax control board shall consider all amounts due to an
5 annexing corporation, including the following:

6 (1) Any transfer tuition payments due to the annexing corporation.
7 (2) All levies, excise tax distributions, and state distributions
8 received by the township school and due to the annexing
9 corporation, including levies and distributions received by the
10 township school after the date on which the township school was
11 annexed.

12 (3) All excessive levies that the township school agreed to impose
13 and pay to an annexing corporation but failed to impose.

14 (d) If, in a hearing under this section, a school property tax control
15 board determines that a township school has:

16 (1) under subsection (b)(1), failed to make a required payment; or
17 (2) under subsection (b)(3), failed to file a required report;

18 the department may act under section 7 of this chapter.

19 SECTION 25. IC 20-23-16-2, AS ADDED BY HEA 1288-2005,
20 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2005]: Sec. 2. (a) Reorganization plans approved before
22 March 15, 1963, by the state board are void on March 15, 1963, except
23 with respect to any community school corporation where:

24 (1) any plan has received a majority affirmative vote at an election;
25 (2) the plan has been certified by the clerk of the circuit court as
26 being petitioned in by fifty-five percent (55%) or more of the
27 registered voters for any such reorganized school corporation and
28 notice has been published by the county committee under sections
29 1 and 6 of this chapter and IC 20-23-4-11 through IC 20-23-4-17,
30 IC 20-23-4-20 through IC 20-23-4-23, IC 20-23-4-42, and
31 IC 20-23-4-43; or

32 (3) the plan provides for a school corporation meeting the
33 qualifications for formation of a community school corporation
34 under IC 20-23-4-16.

35 (b) The county committee and other government officials shall, with
36 respect to any such voided reorganization plan, take all actions
37 necessary for the preparation of a comprehensive plan as if a prior plan
38 had not been submitted, and within the time prescribed by ~~IC 20-23-4-5~~
39 **IC 20-23-4-11** through ~~IC 20-23-4-10~~ **IC 20-23-4-17** and
40 IC 20-23-16-1.

41 SECTION 26. IC 20-23-16-3, AS ADDED BY HEA 1288-2005,
42 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
43 JULY 1, 2005]: Sec. 3. With respect to a proposed community school
44 corporation formed out of two (2) or more school corporations
45 operating a joint high school that has an enrollment of at least six
46 hundred (600) in grades 9 through 12 at the time of the adoption of a
47 preliminary plan adopted under ~~IC 20-23-4-5~~ **IC 20-23-4-11** through
48 ~~IC 20-23-4-10~~, **IC 20-23-4-17**, IC 20-23-16-1, and IC 20-23-16-2, the
49 preliminary plan or final plan adopted under ~~IC 20-23-4-5~~
50 **IC 20-23-4-11** through ~~IC 20-23-4-10~~, **IC 20-23-4-17**, IC 20-23-16-1,
51 and IC 20-23-16-2 may provide for a board of nine (9) members.

1 SECTION 27. IC 20-25-5-15, AS ADDED BY HEA 1288-2005,
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2005]: Sec. 15. With respect to whether the disposition of the
 4 assets and liabilities of the losing school corporation is equitable, the
 5 allocation of school tax receipts is equitable, and the amount to be paid
 6 by the acquiring school corporation is equitable, a court must be
 7 satisfied that the annexing resolution conforms substantially to the
 8 following standards:

9 (1) Except for current obligations or temporary borrowing, the
 10 acquiring school corporation shall assume a part of all installments
 11 of principal and interest on the indebtedness of the losing school
 12 corporation that is due after the end of the last calendar year in
 13 which the losing school corporation is entitled to receive current
 14 tax receipts from property tax levies on the property in the annexed
 15 territory. The part assumed by the acquiring school corporation
 16 consists of the following:

17 (A) All installments relating to any indebtedness incurred in
 18 connection with the acquisition or construction of a building
 19 located in the annexed territory.

20 (B) A proportion of all installments relating to any other
 21 indebtedness that is in the same proportion as the valuation of the
 22 real property in the annexed territory bears to the valuation of all
 23 the real property in the losing school corporation. Valuation
 24 under this clause is based upon the assessment for general
 25 taxation immediately before annexation.

26 (2) The acquiring school corporation shall make the payments and
 27 assume the obligations provided for a school corporation acquiring:

28 (A) territory;

29 (B) a building or buildings; or

30 (C) both territory and a building or buildings;

31 under IC 21-5-10.

32 ~~(3) Unless the losing school corporation consents to another~~
 33 ~~allocation, the part of the special school and tuition fund money~~
 34 ~~collected by the losing school corporation shall not be allocated in~~
 35 ~~a greater amount to the acquiring school corporation than would be~~
 36 ~~awarded if the:~~

37 ~~(A) two (2) corporations were respectively the original school~~
 38 ~~corporation and the annexing school corporation under~~
 39 ~~IC 20-23-16; and~~

40 ~~(B) amount to be paid to the losing corporation by the acquiring~~
 41 ~~school corporation based on the acquisition by the acquiring~~
 42 ~~school corporation of a building in the annexed territory may not~~
 43 ~~be less than would be awarded if the two (2) school corporations~~
 44 ~~were respectively the acquiring school corporation and original~~
 45 ~~school corporation under IC 20-23-16.~~

46 ~~(4)~~ (3) If the annexed territory includes an entire losing school
 47 corporation, the acquiring school corporation shall:

48 (A) acquire all the property and assets of the losing school
 49 corporation without making any payments for the losing school
 50 corporation; and

51 (B) assume all of the liabilities and obligations of the losing

1 school corporation.

2 SECTION 28. IC 20-25-10-3, AS ADDED BY HEA 1288-2005,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]: Sec. 3. The board shall:

5 (1) modify, develop, and publish the plan required under this
6 chapter; and

7 (2) implement the modified plan;

8 in compliance with the timelines of IC 20-31-1, ~~IC 20-31-2~~, IC 20-31-5,
9 IC 20-31-6, IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10.

10 SECTION 29. IC 20-25-10-5, AS ADDED BY HEA 1288-2005,
11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2005]: Sec. 5. (a) The board shall annually assess and evaluate
13 educational programs offered by the school city to determine:

14 (1) the relationship of the programs to improved student
15 achievement; and

16 (2) the educational value of the programs in relation to cost.

17 (b) The board may obtain information from:

18 (1) educators in the schools offering a program;

19 (2) students participating in a program; and

20 (3) the parents of students participating in a program;

21 in preparing an assessment and evaluation under this section. The
22 assessment must include the performance of the school's students in
23 achieving student performance improvement levels under IC 20-31-1,
24 ~~IC 20-31-2~~, IC 20-31-5, IC 20-31-6, IC 20-31-7, IC 20-31-8,
25 IC 20-31-9, IC 20-31-10, and IC 20-25-11.

26 SECTION 30. IC 20-25-11-1, AS ADDED BY HEA 1288-2005,
27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2005]: Sec. 1. The board shall establish annual student
29 performance improvement levels for each school that are not less
30 rigorous than the student performance improvement levels under
31 IC 20-31-1, ~~IC 20-31-2~~, IC 20-31-5, IC 20-31-6, IC 20-31-7,
32 IC 20-31-8, IC 20-31-9, and IC 20-31-10, including the following:

33 (1) For students:

34 (A) improvement in results on assessment tests and assessment
35 programs;

36 (B) improvement in attendance rates; and

37 (C) improvement in progress toward graduation.

38 (2) For teachers:

39 (A) improvement in student results on assessment tests and
40 assessment programs;

41 (B) improvement in the number and percentage of students
42 achieving:

43 (i) state achievement standards; and

44 (ii) if applicable, performance levels set by the board;
45 on assessment tests;

46 (C) improvement in student progress toward graduation;

47 (D) improvement in student attendance rates for the school year;

48 (E) improvement in individual teacher attendance rates;

49 (F) improvement in:

50 (i) communication with parents; and

51 (ii) parental involvement in classroom and extracurricular

- 1 activities; and
 2 (G) other objectives developed by the board.
 3 (3) For the school and school administrators:
 4 (A) improvement in student results on assessment tests, totaled
 5 by class and grade;
 6 (B) improvement in the number and percentage of students
 7 achieving:
 8 (i) state achievement standards; and
 9 (ii) if applicable, performance levels set by the board;
 10 on assessment tests, totaled by class and grade;
 11 (C) improvement in:
 12 (i) student graduation rates; and
 13 (ii) progress toward graduation;
 14 (D) improvement in student attendance rates;
 15 (E) management of:
 16 (i) general fund expenditures; and
 17 (ii) total expenditures;
 18 per student;
 19 (F) improvement in teacher attendance rates; and
 20 (G) other objectives developed by the board.

21 SECTION 31. IC 20-25-13-7, AS ADDED BY HEA 1288-2005,
 22 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2005]: Sec. 7. IC 20-28-6-4 and IC 20-28-6-5 apply to
 24 certificated employees in the school city. A teacher's students'
 25 performance improvement levels under the assessment tests and
 26 programs of IC 20-31-1, ~~IC 20-31-2~~, IC 20-31-5, IC 20-31-6,
 27 IC 20-31-7, IC 20-31-8, IC 20-31-9, and IC 20-31-10 may be used as
 28 a factor, but not the only factor, to evaluate the performance of a
 29 teacher in the school city.

30 SECTION 32. IC 20-26-7-33, AS ADDED BY HEA 1288-2005,
 31 SECTION 10, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2005]: Sec. 33. (a) The hearing described in
 33 section ~~32~~ **31** of this chapter may be adjourned from day to day.

34 (b) When the hearing has concluded, the board of county
 35 commissioners and county council, acting jointly, shall determine from:
 36 (1) the evidence submitted;
 37 (2) an inspection of the building; or
 38 (3) both the evidence and an inspection;
 39 if the building should be condemned.

40 (c) If the board of county commissioners and county council, acting
 41 jointly, determine that the building should be condemned, the board and
 42 council shall fix a date when the order of the board and council
 43 becomes effective. An appeal from the finding and determination of the
 44 board of county commissioners may be made to the circuit or superior
 45 court of the county in the same manner as appeals are taken from the
 46 board of county commissioners.

47 SECTION 33. IC 20-26-11-8, AS ADDED BY HEA 1288-2005,
 48 SECTION 10, IS AMENDED TO READ AS FOLLOWS
 49 [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) A student who is placed in a
 50 state licensed private or public health care facility, child care facility,
 51 or foster family home:

- 1 (1) by or with the consent of the division of family and children;
 2 (2) by a court order; or
 3 (3) by a child placing agency licensed by the division of family and
 4 children;

5 may attend school in the school corporation in which the home or
 6 facility is located. If the school corporation in which the home or
 7 facility is located is not the school corporation in which the student has
 8 legal settlement, the school corporation in which the student has legal
 9 settlement shall pay the transfer tuition of the student.

10 (b) A student who is placed in a state licensed private or public health
 11 care or child care facility by a parent may attend school in the school
 12 corporation in which the facility is located if:

- 13 (1) the placement is necessary for the student's physical or
 14 emotional health and well-being and, if the placement is in a health
 15 care facility, is recommended by a physician; and
 16 (2) the placement is projected to be for not less than fourteen (14)
 17 consecutive calendar days or a total of twenty (20) calendar days.

18 The school corporation in which the student has legal settlement shall
 19 pay the transfer tuition of the student. The parent of the student shall
 20 notify the school corporation in which the facility is located and the
 21 school corporation of the student's legal settlement, if identifiable, of
 22 the placement. Not later than thirty (30) days after this notice, the
 23 school corporation of legal settlement shall either pay the transfer
 24 tuition of the transferred student or appeal the payment by notice to the
 25 department. The acceptance or notice of appeal by the school
 26 corporation must be given by certified mail to the parent or guardian of
 27 the student and any affected school corporation. In the case of a student
 28 who is not identified as disabled under IC 20-35, the state board shall
 29 make a determination on transfer tuition according to the procedures in
 30 section 15 of this chapter. In the case of a student who has been
 31 identified as disabled under IC 20-35, the determination on transfer
 32 tuition shall be made under this subsection and the procedures adopted
 33 by the state board under ~~IC 20-35-2-1(c)(5)~~. **IC 20-35-2-1(b)(5)**.

34 (c) A student who is placed in:

- 35 (1) an institution operated by the division of disability, aging, and
 36 rehabilitative services or the division of mental health and
 37 addiction; or
 38 (2) an institution, a public or private facility, a home, a group
 39 home, or an alternative family setting by the division of disability,
 40 aging, and rehabilitative services or the division of mental health
 41 and addiction;

42 may attend school in the school corporation in which the institution is
 43 located. The state shall pay the transfer tuition of the student, unless
 44 another entity is required to pay the transfer tuition as a result of a
 45 placement described in subsection (a) or (b) or another state is obligated
 46 to pay the transfer tuition.

47 SECTION 34. IC 20-26-12-15 AS ADDED BY HEA 1288-2005,
 48 SECTION 10, IS AMENDED TO READ AS FOLLOWS
 49 [EFFECTIVE JULY 1, 2005]: Sec. 15. (a) A governing body shall
 50 requisition the necessary textbooks from the contracting publishers
 51 approved by the state board. The contracting publisher shall ship the

1 textbooks to the governing body not more than ninety (90) days after
 2 the requisition. On receipt of the textbooks, the governing body's school
 3 corporation has custody of the textbooks. The governing body shall
 4 provide a receipt to the contracting publisher and reimburse the
 5 contracting publisher the amount owed by the school corporation from
 6 the school corporation's general fund.

7 (b) A governing body shall purchase textbooks:

8 (1) from a resident student who presents the textbooks for sale on
 9 or before the beginning of the school term in which the books are
 10 to be used;

11 (2) with money from the school corporation's general fund; and

12 (3) at a price based on the original price to the school corporation
 13 minus a reasonable reduction for damage from usage.

14 (c) ~~The proper school authorities shall purchase any textbooks that
 15 are to be used during any school year from any dealer:~~

16 ~~(1) whose business is located in the county in which the school
 17 corporation is located; and~~

18 ~~(2) who was authorized to sell textbooks before March 1, 1935.~~

19 ~~The purchase price may not exceed the price paid by the dealer to the
 20 contracting publisher.~~

21 SECTION 35. IC 20-27-3-8, AS ADDED BY HEA 1288-2005,
 22 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2005]: Sec. 8. A person who **knowingly,**
 24 **intentionally, or recklessly** violates this chapter commits a Class C
 25 misdemeanor.

26 SECTION 36. IC 20-27-5-33, AS ADDED BY HEA 1288-2005,
 27 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2005]: Sec. 33. A person who **knowingly,**
 29 **intentionally, or recklessly** violates this chapter commits a Class C
 30 misdemeanor.

31 SECTION 37. IC 20-27-6-8, AS ADDED BY HEA 1288-2005,
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2005]: Sec. 8. A person who **knowingly,**
 34 **intentionally, or recklessly** violates this chapter commits a Class C
 35 misdemeanor.

36 SECTION 38. IC 20-27-7-19, AS ADDED BY HEA 1288-2005,
 37 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2005]: Sec. 19. A person who **knowingly,**
 39 **intentionally, or recklessly** violates this chapter commits a Class C
 40 misdemeanor.

41 SECTION 39. IC 20-27-8-16, AS ADDED BY HEA 1288-2005,
 42 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 43 [EFFECTIVE JULY 1, 2005]: Sec. 16. **Except as provided in section**
 44 **3(b) of this chapter,** a person who **knowingly, intentionally, or**
 45 **recklessly** violates this chapter commits a Class C misdemeanor.

46 SECTION 40. IC 20-27-9-17, AS ADDED BY HEA 1288-2005,
 47 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 48 [EFFECTIVE JULY 1, 2005]: Sec. 17. Except as provided in this
 49 article, a person who **knowingly, intentionally, or recklessly** violates
 50 this chapter commits a Class C misdemeanor.

51 SECTION 41. IC 20-27-10-4, AS ADDED BY HEA 1288-2005,

1 SECTION 11, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2005]: Sec. 4. A person who **knowingly,**
 3 **intentionally, or recklessly** violates this chapter commits a Class C
 4 misdemeanor.

5 SECTION 42. IC 20-28-1-10, AS ADDED BY HEA 1288-2005,
 6 SECTION 12, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2005]: Sec. 10. "Managing body" refers to:

8 (1) the governing body;

9 (2) the board of managers (as defined in ~~IC 20-35-5-1(a)(3)~~);

10 **IC 20-35-5-1(3)**); or

11 (3) any other governing entity;

12 that has the responsibility for administering the school corporation's
 13 special education program or a special education cooperative organized
 14 under IC 20-35-5, IC 20-26-10, or IC 36-1-7.

15 SECTION 43. IC 20-33-2-32, AS ADDED BY HEA 1288-2005,
 16 SECTION 17, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2005]: Sec. 32. (a) In a county that has not been
 18 completely reorganized under IC 20-23-4, the governing body of each
 19 school corporation that constitutes a separate attendance district under
 20 section ~~3~~ **30** of this chapter shall appoint an attendance officer. One (1)
 21 additional attendance officer may be appointed for every seven
 22 thousand five hundred (7,500) students in average daily attendance in
 23 the corporation.

24 (b) Whenever the governing body of a school corporation makes an
 25 appointment under this section, it shall appoint an individual nominated
 26 by the superintendent. However, the governing body may decline to
 27 appoint any nominee and require another nomination. The salary of
 28 each attendance officer appointed under this section shall be fixed by
 29 the governing body. In addition to salary, the officer is entitled to
 30 receive reimbursement for actual expenses necessary to properly
 31 perform the officer's duties. The salary and expenses of an attendance
 32 officer appointed under this section shall be paid by the treasurer of the
 33 county in which the officer serves, on a warrant signed by the county
 34 auditor. The county council shall appropriate, and the board of county
 35 commissioners shall allow, the funds necessary to make these
 36 payments. However, a warrant shall not be issued to an attendance
 37 officer until the attendance officer has filed an itemized statement with
 38 the county auditor. This statement shall show the time employed and
 39 expenses incurred. The superintendent shall approve the statement and
 40 certify that it is correct.

41 SECTION 44. IC 20-33-8-33, AS ADDED BY HEA 1288-2005,
 42 SECTION 17, IS AMENDED TO READ AS FOLLOWS
 43 [EFFECTIVE JULY 1, 2005]: Sec. 33. Before February 1 and before
 44 October 1 of each year, except when a hearing has been requested to
 45 determine financial hardship under IC 9-24-2-1(a)(4), ~~the governing~~
 46 ~~body of the school corporation~~ **a principal** shall submit to the bureau
 47 of motor vehicles the pertinent information concerning an individual's
 48 ineligibility under IC 9-24-2-1 to be issued a driver's license or learner's
 49 permit, or concerning the invalidation of a license or permit under
 50 IC 9-24-2-4.

51 SECTION 45. IC 20-34-4-6, AS ADDED BY HEA 1288-2005,

1 SECTION 18, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) Not later than sixty (60) days
 3 after the enrollment of students for the first time and when additional
 4 immunizations are required by statute or rule, each school shall file a
 5 written report with the state department of health and the local health
 6 department having jurisdiction. The report must include the following:

7 (1) A statement of the number of students who have demonstrated
 8 immunity against diphtheria, pertussis (whooping cough), tetanus,
 9 measles, rubella, poliomyelitis, mumps, and hepatitis B.

10 (2) A statement of the number of students who have not
 11 demonstrated immunity against the illnesses listed in subdivision
 12 (1).

13 (3) A statement of the number of students who have been found
 14 positive for sickle cell anemia or lead poisoning.

15 (b) The state department of health and the local health department
 16 shall, for good cause shown that there exists a substantial threat to the
 17 health and safety of a student or the school community, be able to
 18 validate immunization reports by onsite reviews or examinations of
 19 nonidentifying immunization record data. This section does not
 20 independently authorize the state department of health, a local
 21 department of health, or an agent of the state department of health or
 22 local department of health to have access to identifying medical or
 23 academic record data of individual students attending nonaccredited
 24 nonpublic schools.

25 (c) A **school shall file a report** ~~shall be filed~~ for each student who
 26 enrolls ~~subsequent to~~ **after** the filing of the report for students who
 27 enrolled at the beginning of the school year. The state department of
 28 health has exclusive power to adopt rules for the administration of this
 29 section.

30 SECTION 46. IC 20-35-4-10, AS ADDED BY HEA 1288-2005,
 31 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) For purposes of this section,
 33 "comprehensive plan" means a plan for educating the following:

34 (1) All children with disabilities that a school corporation is
 35 required to educate under sections 8 through 9 of this chapter.

36 (2) The additional children with disabilities that the school
 37 corporation elects to educate.

38 (b) For purposes of this section, "school corporation" includes the
 39 following:

40 (1) The Indiana School for the Blind board.

41 (2) The Indiana School for the Deaf board.

42 (c) The state board shall adopt rules under IC 4-22-2 detailing the
 43 contents of the comprehensive plan. Each school corporation shall
 44 complete and submit to the state superintendent a comprehensive plan.
 45 School corporations operating cooperative or joint special education
 46 services may submit a single comprehensive plan. In addition, if a
 47 school corporation enters into a contractual agreement as permitted
 48 under section 9 of this chapter, the school corporation shall collaborate
 49 with the service provider in formulating the comprehensive plan.

50 (d) Notwithstanding the age limits set out in ~~IC 20-35-1-1~~,
 51 **IC 20-35-1-2**, the state board may:

- 1 (1) conduct a program for the early identification of children with
 2 disabilities, between the ages of birth and less than twenty-two (22)
 3 years of age not served by the public schools or through a
 4 contractual agreement under section 9 of this chapter; and
 5 (2) use agencies that serve children with disabilities other than the
 6 public schools.
- 7 (e) The state board shall adopt rules under IC 4-22-2 requiring the:
 8 (1) department of correction;
 9 (2) state department of health;
 10 (3) division of disability, aging, and rehabilitative services;
 11 (4) Indiana School for the Blind board;
 12 (5) Indiana School for the Deaf board; and
 13 (6) division of mental health and addiction;
 14 to submit to the state superintendent a plan for the provision of special
 15 education for children in programs administered by each respective
 16 agency who are entitled to a special education.
- 17 (f) The state superintendent shall furnish professional consultant
 18 services to school corporations and the entities listed in subsection (e)
 19 to aid them in fulfilling the requirements of this section.
- 20 SECTION 47. IC 20-35-5-15, AS ADDED BY HEA 1288-2005,
 21 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2005]: Sec. 15. Meetings of the board of
 23 managers shall be held in accordance with ~~IC 20-26-4-2~~. **IC 20-26-4-3**.
- 24 SECTION 48. IC 20-35-8-2, AS ADDED BY HEA 1288-2005,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The state board shall adopt
 27 rules under IC 4-22-2 to establish limits on the amount of transportation
 28 that may be provided in the student's individualized education program.
 29 Unless otherwise specially shown to be essential by the child's
 30 individualized education program, in case of residency in a public or
 31 private facility, these rules must limit the transportation required by the
 32 student's individualized education program to the following:
 33 (1) The student's first entrance and final departure each school
 34 year.
 35 (2) Round trip transportation each school holiday period.
 36 (3) Two (2) additional round trips each school year.
- 37 (b) If a student is a transfer student receiving special education in a
 38 public school, the state or school corporation responsible for the
 39 payment of transfer tuition under ~~IC 20-33-6-1~~ **IC 20-26-11-1** through
 40 ~~IC 20-33-6-4~~ **IC 20-26-11-4** shall pay the cost of transportation
 41 required by the student's individualized education program. However,
 42 if a transfer student was counted as an eligible student for purposes of
 43 a distribution in a calendar year under IC 21-3-3.1, the transportation
 44 costs that the transferee school may charge for a school year ending in
 45 the calendar year shall be reduced by the sum of the following:
 46 (1) The quotient of:
 47 (A) the amount of money that the transferee school is eligible to
 48 receive under IC 21-3-3.1-2.1 for the calendar year in which the
 49 school year ends; divided by
 50 (B) the number of eligible students for the transferee school for
 51 the calendar year (as determined under IC 21-3-3.1-2.1).

1 (2) The amount of money that the transferee school is eligible to
 2 receive under IC 21-3-3.1-4 for the calendar year in which the
 3 school year ends for the transportation of the transfer student
 4 during the school year.

5 (c) If a student receives a special education:

6 (1) in a facility operated by:

7 (A) the state department of health;

8 (B) the division of disability, aging, and rehabilitative services;

9 or

10 (C) the division of mental health and addiction;

11 (2) at the Indiana School for the Blind; or

12 (3) at the Indiana School for the Deaf;

13 the school corporation in which the student has legal settlement shall
 14 pay the cost of transportation required by the student's individualized
 15 education program. However, if the student's legal settlement cannot be
 16 ascertained, the state board shall pay the cost of transportation required
 17 by the student's individualized education program.

18 (d) If a student is placed in a private facility under IC 20-35-6-2 in
 19 order to receive a special education because the student's school
 20 corporation cannot provide an appropriate special education program,
 21 the school corporation in which the student has legal settlement shall
 22 pay the cost of transportation required by the student's individualized
 23 education program. However, if the student's legal settlement cannot be
 24 ascertained, the state board shall pay the cost of transportation required
 25 by the student's individualized education program.

26 SECTION 49. IC 20-37-1-1, AS ADDED BY HEA 1288-2005,
 27 SECTION 21, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) Two (2) or more school
 29 corporations may cooperate to:

30 (1) establish; and

31 (2) maintain or supervise;

32 schools or departments for vocational education if the governing bodies
 33 of the school corporations agree to cooperate and apportion the cost of
 34 the schools or departments among the school corporations.

35 (b) If the cooperating school corporations agree to:

36 (1) establish; and

37 (2) maintain or supervise;

38 the schools or departments under subsection (a), the ~~heads designated~~
 39 **representatives** of the school corporations ~~or their delegated~~
 40 **representatives** constitute a board for the management of the schools or
 41 departments. The board may adopt a plan of organization,
 42 administration, and support for the schools or departments. The plan,
 43 if approved by the state board, is a binding contract between the
 44 cooperating school corporations.

45 (c) The governing bodies of the cooperating school corporations may
 46 cancel or annul the plan described in subsection (b) by the vote of a
 47 majority of the governing bodies and upon the approval of the state
 48 board. However, if a school corporation desires to withdraw a course
 49 offering from the cooperative agreement after:

50 (1) attempting to withdraw the course offering under a withdrawal
 51 procedure authorized by the school corporation's cooperative

1 agreement or bylaw; and
 2 (2) being denied the authority to withdraw the course offering;
 3 the school corporation may appeal the denial to the state board. In the
 4 appeal, a school corporation must submit a proposal requesting the
 5 withdrawal to the state board for approval.

6 (d) The proposal under subsection (c) must do the following:
 7 (1) Describe how the school corporation intends to implement the
 8 particular vocational education course.
 9 (2) Include a provision that provides for at least a two (2) year
 10 phaseout of the educational program or course offering from the
 11 cooperative agreement.

12 Upon approval of the proposal by the state board, the school
 13 corporation may proceed with the school corporation's withdrawal of
 14 the course offering from the cooperative agreement and shall proceed
 15 under the proposal.

16 (e) The withdrawal procedure under subsections (c) and (d) may not
 17 be construed to permit a school corporation to change any other terms
 18 of the plan described in subsection (b) except those terms that require
 19 the school corporation to provide the particular course offering sought
 20 to be withdrawn.

21 (f) The board described in subsection (b) may do the following:
 22 (1) Enter into an agreement to acquire by lease or purchase:
 23 (A) sites;
 24 (B) buildings; or
 25 (C) equipment;
 26 that is suitable for these schools or departments. This authority
 27 extends to the acquisition of facilities available under IC 21-5-11.
 28 (2) By resolution adopted by a majority of the board, designate
 29 three (3) or more individuals from the board's membership to
 30 constitute an executive committee.

31 (g) To the extent provided in a resolution adopted under subsection
 32 (f)(2), an executive committee shall do the following:
 33 (1) Exercise the authority of the full board in the management of
 34 the schools or departments.
 35 (2) Submit a written summary of its actions to the full board at least
 36 semiannually.

37 SECTION 50. IC 33-33-53-5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. In accordance with
 39 rules adopted by the judges of the court under section 6 of this chapter,
 40 the presiding judge shall do the following:

41 (1) Ensure that the court operates efficiently and judicially under
 42 rules adopted by the court.
 43 (2) Annually submit to the fiscal body of Monroe County a budget
 44 for the court, including amounts necessary for:
 45 (A) the operation of the circuit's probation department;
 46 (B) the defense of indigents; and
 47 (C) maintaining an adequate law library.

48 (3) Make the appointments or selections required of a circuit or
 49 superior court judge under the following statutes:
 50 IC 8-4-21-2
 51 IC 11-12-2-2

1 IC 16-22-2-4
 2 IC 16-22-2-11
 3 IC 16-22-7
 4 IC 20-4-1
 5 IC 20-4-8
 6 ~~IC 20-4-15-2~~
 7 IC 20-5-20-4
 8 IC 20-5-23-1
 9 IC 20-14-10-10
 10 IC 21-5-11-8
 11 IC 21-5-12-8
 12 IC 36-9
 13 IC 36-10.

14 (4) Make appointments or selections required of a circuit or
 15 superior court judge by any other statute, if the appointment or
 16 selection is not required of the court because of an action before the
 17 court.

18 SECTION 51. IC 36-1-14-1, AS AMENDED BY HEA 1288-2005,
 19 SECTION 236, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) This section does not apply
 21 to donations of proceeds from riverboat gaming to a public school
 22 endowment corporation under ~~IC 20-26-5-19~~; **IC 20-26-5-21**.

23 (b) As used in this section, "riverboat gaming revenue" means tax
 24 revenue received by a unit under IC 4-33-12-6, IC 4-33-13, or an
 25 agreement to share a city's or county's part of the tax revenue.

26 (c) Notwithstanding IC 8-1.5-2-6(d), a unit may donate the proceeds
 27 from the sale of a utility or facility or from a grant, a gift, a donation,
 28 an endowment, a bequest, a trust, or riverboat gaming revenue to a
 29 foundation under the following conditions:

- 30 (1) The foundation is a charitable nonprofit community foundation.
 31 (2) The foundation retains all rights to the donation, including
 32 investment powers.
 33 (3) The foundation agrees to do the following:
 34 (A) Hold the donation as a permanent endowment.
 35 (B) Distribute the income from the donation only to the unit as
 36 directed by resolution of the fiscal body of the unit.
 37 (C) Return the donation to the general fund of the unit if the
 38 foundation:
 39 (i) loses the foundation's status as a public charitable
 40 organization;
 41 (ii) is liquidated; or
 42 (iii) violates any condition of the endowment set by the fiscal
 43 body of the unit.

44 SECTION 52. THE FOLLOWING ARE REPEALED [EFFECTIVE
 45 JULY 1, 2005]: IC 20-4-1-14; IC 20-4-1-28; IC 20-4-1-35;
 46 IC 20-4-1-36; IC 20-4-1-37; IC 20-4-1-38; IC 20-4-5-9; IC 20-4-5-10;
 47 IC 20-4-5-11; IC 20-4-8-2; IC 20-4-8-3; IC 20-4-8-4; IC 20-4-8-5;
 48 IC 20-4-8-6; IC 20-4-8-7; IC 20-4-8-8; IC 20-4-8-9; IC 20-4-8-10;
 49 IC 20-4-8-11; IC 20-4-8-27; IC 20-4-15-1; IC 20-4-15-2; IC 20-4-15-3;
 50 IC 20-4-15-4; IC 20-4-15-5; IC 20-4-15-6; IC 20-4-16-1; IC 20-4-16-2;
 51 IC 20-4-16-3; IC 20-4-16-4; IC 20-4-16-5; IC 20-4-16-6;

- 1 IC 20-23-16-2; IC 20-23-16-6; IC 20-23-16-7; IC 20-23-16-8;
- 2 IC 20-23-16-9; IC 20-23-16-10; IC 20-23-16-12; IC 20-23-16-13;
- 3 IC 20-23-16-14; IC 20-23-16-15; IC 20-23-16-16; IC 20-23-16-17;
- 4 IC 20-23-16-18; IC 20-23-16-19; IC 20-23-16-20; IC 20-23-16-21;
- 5 IC 20-23-16-22; IC 20-23-16-23; IC 20-23-16-24; IC 20-23-16-28;
- 6 IC 20-23-16-29; IC 20-23-16-30; IC 20-23-16-31; IC 20-23-16-32;
- 7 IC 20-23-16-33; IC 20-23-16-34; IC 20-23-16-35; IC 20-23-16-36;
- 8 IC 20-23-16-37; IC 20-23-16-38; IC 20-23-16-39; IC 20-23-16-40.

(Reference is to ESB 397 as printed March 22, 2005.)

Conference Committee Report
on
Engrossed Senate Bill 397

Signed by:

Senator Landske
Chairperson

Representative Foley

Senator Lanane

Representative Oxley

Senate Conferees

House Conferees