

SENATE BILL No. 167

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-20-10.

Synopsis: Referendum signatures. Allows a school corporation to solicit or collect signatures for a petition or remonstrance on school property.

Effective: July 1, 2005.

Alting

January 4, 2005, read first time and referred to Committee on Education and Career Development.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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SENATE BILL No. 167



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

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

1 SECTION 1. IC 6-1.1-20-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) If a petition and
3 remonstrance process is commenced under section 3.2 of this chapter,
4 during the sixty (60) day period commencing with the notice under
5 section 3.2(1) of this chapter, the political subdivision seeking to issue
6 bonds or enter into a lease for the proposed controlled project may not
7 promote a position on the petition or remonstrance by doing any of the
8 following:

9 (1) Allowing facilities or equipment, including mail and
10 messaging systems, owned by the political subdivision to be used
11 for public relations purposes to promote a position on the petition
12 or remonstrance, unless equal access to the facilities or equipment
13 is given to persons with a position opposite to that of the political
14 subdivision.

15 (2) Making an expenditure of money from a fund controlled by
16 the political subdivision to promote a position on the petition or
17 remonstrance (except as necessary to explain the project to the



1 public) or to pay for the gathering of signatures on a petition or
 2 remonstrance. This subdivision does not prohibit a political
 3 subdivision from making an expenditure of money to an attorney,
 4 an architect, a construction manager, or a financial adviser for
 5 professional services provided with respect to a controlled
 6 project.
 7 (3) Using an employee to promote a position on the petition or
 8 remonstrance during the employee's normal working hours or paid
 9 overtime.
 10 (4) In the case of a school corporation, promoting a position on a
 11 petition or remonstrance by:
 12 (A) using students to transport written materials to their
 13 residences; or
 14 (B) including a statement within another communication sent
 15 to the students' residences.
 16 However, this section does not prohibit an employee of the political
 17 subdivision from carrying out duties with respect to a petition or
 18 remonstrance that are part of the normal and regular conduct of the
 19 employee's office or agency.
 20 (b) **This subsection does not apply to a political subdivision that**
 21 **is a school corporation.** A person may not solicit or collect signatures
 22 for a petition or remonstrance on property owned or controlled by the
 23 political subdivision.

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