
SENATE BILL No. 287

AM028703 has been incorporated into February 11, 2025 printing.

Synopsis: School board matters.

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SB 287—LS 6923/DI 144



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February 11, 2025

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

SENATE BILL No. 287

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

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

- 1 SECTION 1. IC 3-5-2-44 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 44. "School board"
3 means the ~~fiscal~~ **governing** body of a school corporation (**as defined**
4 **in IC 20-18-2-5**).
- 5 SECTION 2. IC 3-8-2.5-2.5, AS AMENDED BY P.L.227-2023,
6 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2025]: Sec. 2.5. (a) A petition of nomination for a school
8 board office must state all of the following:
- 9 (1) The name of each candidate as:
- 10 (A) the candidate wants the candidate's name to appear on
11 the ballot; and
12 (B) the candidate's name is permitted to appear on the ballot
13 under IC 3-5-7.
- 14 The petition must specify, by a designation described in
15 IC 3-5-7-5, each designation that the candidate wants to use that
16 is permitted by IC 3-5-7.
- 17 (2) The address of each candidate, including the mailing address,

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if different from the residence address of the candidate.

(3) The school board office that each candidate seeks.

(4) That each petitioner is a qualified registered voter and desires to be able to vote for the candidates listed on the petition.

(5) One (1) of the following:

(A) The candidate's political party affiliation.

(B) If the candidate does not identify with a political party, that the candidate is an independent candidate.

(C) That the candidate elects to be listed on the ballot as nonpartisan.

Unless a candidate who states a political party affiliation under clause (A) is challenged under section 7 of this chapter, the candidate's statement under this subdivision must be indicated on the ballot in the manner determined by the county election board.

(b) The petition of nomination must be accompanied by the following:

(1) The candidate's written consent to become a candidate.

(2) A statement that the candidate:

(A) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(B) agrees to comply with the provisions of IC 3-9 referred to in clause (A).

(3) A statement by the candidate that the candidate is aware of the requirement to file a campaign finance statement of organization under IC 3-9 after the first of either of the following occurs:

(A) The candidate receives more than five hundred dollars (\$500) in contributions.

(B) The candidate makes more than five hundred dollars (\$500) in expenditures.

(4) A statement indicating whether or not each candidate:

(A) has been a candidate for state, legislative, local, or school board office in a previous primary, municipal, special, or general election; and

(B) has filed all reports required by IC 3-9-5-10 for all previous candidacies.

(5) A statement that each candidate is legally qualified to hold the office that the candidate seeks, including any applicable residency requirements and restrictions on service due to a criminal conviction.

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(6) Any statement of economic interests required under IC 3-8-9.

(7) The certification of the county chairman, if required under subsection (c).

(c) If a candidate claims affiliation with a major political party under subsection (a)(5)(A), the candidate must have voted in the two (2) most recent primary elections in Indiana held by the party with which the candidate claims affiliation. The petition must provide a place for the candidate to affirm the candidate's primary election participation, if the candidate chooses affiliation with a major political party. If the candidate did not vote in the two (2) most recent primary elections in Indiana held by the party with which the candidate claims affiliation, the county chairman of:

(1) the political party with which the candidate claims affiliation; and

(2) the county in which the candidate resides;

must certify in writing that the candidate is a member of the political party for the candidate's claimed affiliation to be valid. The petition of nomination must inform candidates how political party affiliation is determined under this subsection.

SECTION 3. IC 3-8-2.5-7, AS AMENDED BY P.L.34-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) A person may not be selected as a candidate by petition of nomination without giving written consent and having it filed with the public official with whom certificates and petitions of nomination are required to be filed.

(b) Each candidate nominated by petition of nomination for a school board office must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of statements of economic interest.

(c) A statement questioning the validity of a petition of nomination or contesting the denial of certification under section 6 of this chapter must be filed with the county election board in accordance with IC 3-8-1-2 not later than noon seventy-four (74) days before the date of the general election. A question regarding the validity of a petition of nomination or the denial of certification shall be referred to and determined by the county election board not later than noon sixty (60) days before the date of the general election.

(d) A statement concerning the validity of a declaration of intent to be a write-in candidate for a school board office under section 4 of this chapter must be filed with the county election board in accordance with IC 3-8-1-2 not later than noon sixty-seven (67) days before the date of the general election. A question regarding the validity of a

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1 declaration of intent to be a write-in candidate for a school board office
 2 shall be referred to and determined by the county election board not
 3 later than noon fifty-four (54) days before the date of the general
 4 election.

5 (e) If a candidate's petition states that the candidate is
 6 affiliated with a major political party, that statement may be
 7 challenged under this section. A challenge under this subsection
 8 succeeds only if the challenger shows both of the following:

9 (1) The candidate did not vote in the two (2) most recent
 10 primary elections in Indiana held by the party with which
 11 the candidate claims affiliation.

12 (2) The county chairman of:

13 (A) the political party with which the candidate claims
 14 affiliation; and

15 (B) the county in which the candidate resides;
 16 did not certify that the candidate is a member of the political
 17 party with which the candidate claims affiliation. If the
 18 candidate produces a copy of the certification of the county
 19 chairman of the political party with which the candidate
 20 claims affiliation at the time the candidate filed the petition,
 21 the claim of a challenger under this subdivision is
 22 conclusively rebutted.

23 (f) Unless a challenger shows under subsection (e) that a
 24 candidate is not affiliated with the major political party with which
 25 the candidate claims affiliation, the candidate's claimed political
 26 party affiliation shall be indicated on the ballot as required by
 27 section 2.5(a)(5) of this chapter.

28 (g) A candidate's:

29 (1) claimed political party affiliation with a party other than
 30 a major political party; or

31 (2) statement under:

32 (A) section 2.5(a)(5)(B) of this chapter that the candidate
 33 is an independent candidate; or

34 (B) section 2.5(a)(5)(C) of this chapter that the candidate
 35 elects to be listed on the ballot as nonpartisan;

36 is not subject to challenge under this section.

37 SECTION 4. IC 3-11-2-9, AS AMENDED BY P.L.227-2023,
 38 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2025]: Sec. 9. (a) The device of each political party described
 40 in section 6 of this chapter shall be:

41 (1) enclosed in a circle not less than three-fourths (3/4) of an
 42 inch in diameter; and

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(2) placed under the name of the party or independent ticket, as required by section 10 of this chapter.

(b) A device of a political party must not be printed on a ballot if:

(1) there are no candidates of that political party; or

(2) the only candidates:

(A) of the political party; or

(B) that have stated an affiliation with the political party under IC 3-8-2.5-2.5(a)(5);

are for election to **school board offices** or offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 or IC 3-12-1-7.1 if a voter casts a straight party ticket.

SECTION 5. IC 3-11-2-10, AS AMENDED BY P.L.227-2023, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in subsections (d) and (e) and section 8 of this chapter, if instructions are printed on the ballot:

(1) Ratification of a state constitutional amendment.

(2) Local public questions.

Subject to section 10.1 of this chapter, each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party shall be placed immediately under the name of the political party. Notwithstanding section 8(b) of this chapter, the instructions for voting a straight party ticket shall be placed to the right of the device on the ballot.

(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:

"(1) You are not required to vote a straight party ticket. If you do not wish to vote a straight party ticket, do not make a mark in this section, and proceed to voting the ballot by office.

(2) To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, except for candidates described in (3) below, make a voting mark on or in this circle and do not make any other marks on this ballot.

(3) To vote for any candidate for:

(A) an at-large office (insert county council, city common council, town council, or township board if those offices

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appear on this ballot) to which more than one (1) person
may be elected; **or**

(B) a school board office;

you must make another voting mark for each candidate you wish
to vote for. Your straight party vote will not count as a vote for
any candidate for that office.

(4) If you wish to vote for a candidate seeking a nonpartisan
office or on a public question, you must make another voting
mark on the appropriate place on this ballot."

(d) Except as permitted under section 8(b) of this chapter, if the
ballot contains an independent ticket described in section 6 of this
chapter and at least one (1) other independent candidate, the ballot
must also contain a statement that reads substantially as follows: "A
vote cast for an independent ticket will only be counted for the
candidates for President and Vice President or governor and lieutenant
governor comprising that independent ticket. This vote will NOT be
counted for any OTHER independent candidate appearing on the
ballot."

(e) Except as permitted under section 8(b) of this chapter, the
ballot must also contain a statement that reads substantially as follows:
"A write-in vote will NOT be counted unless the vote is for a
DECLARED write-in candidate. To vote for a write-in candidate, you
must make a voting mark on or in the square to the left of the name you
have written in or your vote will not be counted."

(f) Subject to section 10.1 of this chapter, the list of candidates of
the political party shall be placed immediately under the instructions
for voting a straight party ticket. The names of the candidates shall be
placed three-fourths (3/4) of an inch apart from center to center of the
name. The name of each candidate must have, immediately on its left,
a square three-eighths (3/8) of an inch on each side.

(g) The circuit court clerk may authorize the printing of ballots
containing a ballot variation code to ensure that the proper version of
a ballot is used within a precinct.

SECTION 6. IC 3-11-2-12.9, AS AMENDED BY P.L.109-2021,
SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2025]: Sec. 12.9. (a) School board offices to be elected at the
general election shall be placed on the general election ballot after the
offices described in section 12.4 of this chapter. ~~with each candidate
for the office designated as "nonpartisan".~~

(b) If the ballot contains a candidate for a school board office, the
ballot must also contain a statement that reads substantially as follows:

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"To vote for a candidate for this office, make a voting mark on or in the square to the left of the candidate's name. **A straight party vote will not count as a vote for any candidate for this office.**".

(c) Whenever candidates are to be elected to a school board office that includes both an at-large member and a member representing a district, the candidates seeking election as an at-large member shall be placed on the ballot before candidates seeking to represent a district."

SECTION 7. IC 3-11-7-4, AS AMENDED BY P.L.278-2019, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Except as provided in subsection (b), a ballot card voting system must permit a voter to vote:

(1) except at a primary election, a straight party ticket for all of the candidates of one (1) political party by a single voting mark on each ballot card;

(2) for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition;

(3) a split ticket for the candidates of different political parties and for independent candidates; or

(4) a straight party ticket and then split that ticket by casting individual votes for candidates of another political party or independent candidate.

(b) A ballot card voting system must require that a voter who wishes to cast a ballot for a candidate for election to **a school board office or** an at-large district to which more than one (1) person may be elected, on a:

(1) county council;

(2) city common council;

(3) town council; or

(4) township board;

make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The ballot card voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.

(c) A ballot card voting system must permit a voter to vote:

(1) for all candidates for presidential electors and alternate presidential electors of a political party or an independent ticket by making a single voting mark; and

(2) for or against a public question on which the voter may vote.

SECTION 8. IC 3-11-7-6, AS AMENDED BY P.L.164-2006, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2025]: Sec. 6. **Subject to IC 3-12-1-7.1**, a ballot card voting system must count a ballot in accordance with IC 3-12-1-7 when a voter votes a straight ticket vote and votes for individual candidates as described by IC 3-12-1-7.

SECTION 9. IC 3-11-7.5-10, AS AMENDED BY P.L.278-2019, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) Except as provided in subsection (b), an electronic voting system must permit a voter to vote:

(1) except at a primary election, a straight party ticket for all the candidates of one (1) political party by touching the device of that party;

(2) for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition;

(3) a split ticket for the candidates of different political parties and for independent candidates; or

(4) a straight party ticket and then split that ticket by casting individual votes for candidates of another political party or independent candidates.

(b) An electronic voting system must require that a voter who wishes to cast a ballot for a candidate for election to **a school board office or** an at-large district to which more than one (1) person may be elected, on a:

(1) county council;

(2) city common council;

(3) town council; or

(4) township board;

make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The electronic voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.

(c) An electronic voting system must permit a voter to vote:

(1) for as many candidates for an office as the voter may vote for, but no more;

(2) for or against a public question on which the voter may vote, but no other; and

(3) for all the candidates for presidential electors and alternate presidential electors of a political party or an independent ticket by making a single voting mark.

SECTION 10. IC 3-11-13-11, AS AMENDED BY P.L.9-2024, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2025]; Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

(1) print all offices and questions on a single ballot card; and

(2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-12.9(c), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), IC 3-11-2-14(d), and IC 3-11-2-14(e). The offices and public questions may be listed in a continuous column either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(3) **"Vote for one (1) only. A straight party vote will not**



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**count as a vote for any candidate for this office.", if only one
(1) candidate is to be elected to a school board office.**

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent" if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

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- 1 (1) under the name of the office that the candidates are seeking;
- 2 (2) in the order established by subsection (g); and
- 3 (3) within the political party, in alphabetical order according to
- 4 surname.

5 A statement reading substantially as follows must be placed
6 immediately below the name of the office and above the name of the
7 first candidate: "Vote for not more than (insert the number of
8 candidates to be elected) candidate(s) of ANY party for this office."

9 (j) Candidates for election to at-large seats on the governing body
10 of a school corporation must be grouped:

- 11 (1) under the name of the office that the candidates are seeking;
- 12 and
- 13 (2) in alphabetical order according to surname.

14 A statement reading substantially as follows must be placed
15 immediately below the name of the office and above the name of the
16 first candidate: "Vote for not more than (insert the number of
17 candidates to be elected) candidate(s) for this office. **A straight party
18 vote will not count as a vote for any candidate for this office.**"

19 (k) The following information must be placed at the top of the
20 ballot before the first public question is listed:

- 21 (1) The cautionary statement described in IC 3-11-2-7.
- 22 (2) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d),
23 and IC 3-11-2-10(e).

24 (l) The ballot must include a single connectable arrow, circle, oval,
25 or square, or a voting position for voting a straight party ticket by one
26 (1) mark as required by section 14 of this chapter, and the single
27 connectable arrow, circle, oval, or square, or the voting position for
28 casting a straight party ticket ballot must be identified by:

- 29 (1) the name of the political party; and
- 30 (2) immediately below or beside the political party's name, the
31 device of that party (described in IC 3-11-2-5).

32 The name and device of each political party must be of uniform size
33 and type and arranged in the order established by subsection (g) for
34 listing candidates under each office. The instructions described in
35 IC 3-11-2-10(c) for voting a straight party ticket and the statement
36 concerning presidential electors required under IC 3-10-4-3 must be
37 placed on the ballot label. The instructions for voting a straight party
38 ticket must include the statement: "If you do not wish to vote a straight
39 party ticket, do not make a mark in this section and proceed to voting
40 the ballot by office."

41 (m) A public question must be in the form described in

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IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

(1) the names of political parties or candidates; or

(2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.

SECTION 11. IC 3-11-13-14, AS AMENDED BY P.L.227-2023, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) In partisan elections, the ballot labels must include a voting square or position where a voter may by one (1) voting mark on each card record a straight party ticket vote for all the candidates of one (1) political party, except for offices for which the voter:

(1) is required to cast an individual vote for a candidate under IC 3-11-7-4(b); or

(2) has voted individually for a candidate for any other office.

(b) A ballot label must not include a voting square or position to permit a voter to cast a straight party ticket for a political party if:

(1) there are no candidates of that political party; or

(2) the only candidates:

(A) of the political party; or

(B) that have stated an affiliation with the political party under IC 3-8-2.5-2.5(a)(5);

are for election to **school board offices** or offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 or IC 3-12-1-7.1 if a voter casts a straight party ticket.

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SECTION 12. IC 3-11-14-3.5, AS AMENDED BY P.L.227-2023,
SECTION 100, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) Each county election board
shall have the names of all candidates for all elected offices, political
party offices, and public questions printed on ballot labels for use in an
electronic voting system as provided in this chapter.

(b) The county may:

(1) print all offices and public questions on a single ballot label;
and

(2) include a ballot variation code to ensure that the proper
version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the
same quality and color of paper (except as permitted under
IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate
or independent ticket (described in IC 3-11-2-6) nominated by
petitioners must be listed on the ballot label with the name and device
set forth on the certification or petition. The circle containing the
device may be of any size that permits a voter to readily identify the
device. IC 3-11-2-5 applies if the certification or petition does not
include a name or device, or if the same device is selected by two (2)
or more parties or petitioners.

(e) The ballot labels must list the offices and public questions on
the general election ballot in the order listed in IC 3-11-2-12,
IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a),
IC 3-11-2-12.9(c), IC 3-11-2-13(a) through IC 3-11-2-13(c),
IC 3-11-2-14(a), IC 3-11-2-14(d), and IC 3-11-2-14(e). Each office and
public question may have a separate screen, or the offices and public
questions may be listed in a continuous column either vertically or
horizontally.

(f) The name of each office must be printed in a uniform size in
bold type. A statement reading substantially as follows must be placed
immediately below the name of the office and above the name of the
first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be
elected to the office.

(2) "Vote for not more than (insert the number of candidates to
be elected) candidate(s) for this office. To vote for any candidate
for this office, you must make a voting mark for each candidate
you wish to vote for. A straight party vote will not count as a
vote for any candidate for this office.", if more than one (1)

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candidate is to be elected to the office.

(3) "Vote for one (1) only. A straight party vote will not count as a vote for any candidate for this office.", if only one (1) candidate is to be elected to a school board office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

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is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

- (1) under the name of the office that the candidates are seeking;
- (2) in the party order established by subsection (g); and
- (3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

- (1) under the name of the office that the candidates are seeking; and
- (2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. **A straight party vote will not count as a vote for any candidate for this office.**".

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e) may be:

- (1) placed on the ballot label; or
- (2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) Except as provided in section 14.5 of this chapter, the ballot label must include a touch sensitive point or button for voting a straight political party ticket by one (1) touch, and the touch sensitive point or button must be identified by:

- (1) the name of the political party; and
- (2) immediately below or beside the political party's name, the device of that party (described in IC 3-11-2-5).

The name and device of each party must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in

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IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 must be placed on the ballot label. The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, press "NEXT" (or replace "NEXT" with the term used by that voting system to permit a voter to skip a ballot screen) to continue voting."

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

- (1) do not replace; and
- (2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

SECTION 13. IC 3-11-14-14.5, AS AMENDED BY P.L.227-2023, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14.5. A ballot label must not include a touch sensitive point or button to permit a voter to cast a straight party ticket for a political party if:

- (1) there are no candidates of that political party; or
- (2) the only candidates:

(A) of the political party; or

(B) that have stated an affiliation with the political party under IC 3-8-2.5-2.5(a)(5);

are for election to **school board offices** or offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 or IC 3-12-1-7.1 if a voter casts a straight party ticket.

SECTION 14. IC 3-12-1-5, AS AMENDED BY P.L.278-2019, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) This subsection does not apply to a ballot card voting system or an electronic voting system. Except as provided in subsection (d), a voting mark made by a voter on

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or in a voting square at the left of a candidate's name or political party's name shall be counted as a vote for the candidate or candidates of the political party.

(b) This subsection applies to a ballot card voting system. A voting mark made by a voter:

(1) on or in a circle, oval, or square; or

(2) to connect a connectable arrow;

immediately below or beside a candidate's name or political party's name shall be counted as a vote for the candidate or candidates of the political party, except as provided in subsection (d).

(c) This subsection applies to a direct record electronic voting system. A voting mark made by a voter touching a touch sensitive point or button below or beside a candidate's name or political party's name shall be counted as a vote for the candidate or candidates of the political party, except as provided in subsection (d).

(d) A voter who wishes to cast a ballot for a candidate for election to **a school board office or** an at-large district to which more than one (1) person may be elected on a:

(1) county council;

(2) city common council;

(3) town council; or

(4) township board;

must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A straight ticket voting mark on a paper ballot, ballot card voting system, or electronic voting system shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.

SECTION 15. IC 3-12-1-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 7.1. Notwithstanding section 7 of this chapter, a straight party vote does not count for any candidate for a school board office.**

SECTION 16. IC 3-12-1-8, AS AMENDED BY P.L.278-2019, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) Except as provided in subsection (b), a voting mark made by a voter on or in a circle containing a political party device shall be counted as a vote for each candidate of that political party on that ballot.

(b) A voter who wishes to cast a ballot for a candidate for election to **a school board office or** an at-large district to which more than one (1) person may be elected on a:

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- (1) county council;
- (2) city common council;
- (3) town council; or
- (4) township board;

must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A voting mark on or in a circle containing a political party device shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.

SECTION 17. IC 3-12-1-15, AS AMENDED BY P.L.74-2017, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) This section does not apply to a candidate for **a school board office** or an at-large office of a county council, city common council, town council, or township board, if those offices appear on a ballot.

(b) This section applies to a vote cast for one (1) straight party ticket that includes a candidate for election to office who:

- (1) ceases to be a candidate; and
- (2) is succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2.

(c) A vote cast in the election for the original nominee is considered a vote cast for the successor.

SECTION 18. IC 3-13-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The caucus procedure prescribed by this chapter for filling vacancies in local offices **or school board offices** must be followed whenever required by IC 3-13-6-2, IC 3-13-6-3(a), IC 3-13-7-1, IC 3-13-8-1, IC 3-13-9-1, ~~or~~ IC 3-13-10-1, **or IC 20-23-4-30**. Selections made under this chapter (or under IC 3-2-9 before its repeal on March 4, 1986) are appointments pro tempore for the purposes of Article 2, Section 11 of the Constitution of the State of Indiana.

SECTION 19. IC 3-13-11-8, AS AMENDED BY P.L.216-2015, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) Except as provided in this chapter, the caucus shall establish the caucus rules of procedure. The chairman or an individual designated by the chairman shall break any tie vote that occurs in the caucus.

(b) If a quorum required under the rules of a meeting held under this chapter is not present, the county chairman or an individual designated by the county chairman shall fill the vacancy that exists in the local office **or school board office**.

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1 SECTION 20. IC 3-13-11-9 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) Except as
 3 provided in this section, voting by proxy is not permitted in a caucus
 4 held under this chapter.

5 (b) A precinct vice committeeman is entitled to participate in a
 6 caucus held under this chapter and vote as a proxy for the vice
 7 committeeman's precinct committeeman if all of the following apply:

8 (1) The vice committeeman's precinct committeeman is
 9 otherwise eligible to participate in the caucus under this chapter.
 10 This subdivision is satisfied if the vacancy to be filled under this
 11 chapter resulted from the death of an individual holding a local
 12 office **or school board office** who also served as a precinct
 13 committeeman.

14 (2) The vice committeeman's precinct committeeman is not
 15 present at the caucus.

16 (3) The vice committeeman is eligible under this section.

17 (c) The vice committeeman of an elected precinct committeeman
 18 is eligible to participate in a caucus held under this chapter and vote the
 19 precinct committeeman's proxy, regardless of when the vacancy
 20 occurred, if the vice committeeman was the vice committeeman five
 21 (5) days before the date of the caucus.

22 (d) If a vice committeeman is not eligible under subsection (c), the
 23 vice committeeman is eligible to participate in a caucus held under this
 24 chapter and vote the precinct committeeman's proxy only if the vice
 25 committeeman was the vice committeeman thirty (30) days before the
 26 vacancy occurred.

27 SECTION 21. IC 3-13-11-11 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) No later than
 29 noon five (5) days after:

30 (1) the selection required by section 10 of this chapter; or

31 (2) a selection under section 5(c) of this chapter;

32 the chairman shall certify the pro tempore appointment results to the
 33 circuit court clerk of the county in which the greatest percentage of the
 34 population of the election district is located.

35 (b) This subsection applies to the selection of an individual for an
 36 appointment pro tempore as judge of a town court, prosecuting
 37 attorney, circuit court clerk, county auditor, county recorder, county
 38 treasurer, county sheriff, county coroner, or county surveyor. The clerk
 39 shall forward a copy of the certificate to the election division. The
 40 election division shall prepare a commission for issuance under
 41 IC 4-3-1-5 in the same manner that the election division prepares a

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commission following the election of an individual to the office.

(c) This subsection applies to the selection of an individual for an appointment pro tempore to a local office **or school board office** not described in subsection (b). The clerk shall file the certificate in the clerk's office in the same manner as certificates of election are filed. Within twenty-four (24) hours after the certificate is filed, the clerk shall issue a copy of the certificate to the individual named in the certificate.

SECTION 22. IC 20-23-4-29.1, AS ADDED BY P.L.179-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 29.1. (a) This section applies to each school corporation.

(b) If a plan provides for election of members of the governing body, the members of the governing body shall be elected at a general election. Each candidate must file a petition of nomination in accordance with IC 3-8-2.5 that is signed by the candidate and by ten (10) registered voters residing within the boundaries of the community school corporation. The filing must be made within the time specified by IC 3-8-2.5-4.

(c) All nominations shall be listed for each office in the form prescribed by IC 3-11-2. ~~but without party designation.~~ Voting and tabulation of votes shall be conducted in the same manner as voting and tabulation in general elections are conducted. The precinct election boards serving in each county shall conduct the election for members of the governing body. If a school corporation is located in more than one (1) county, each county election board shall print the ballots required for voters in that county to vote for candidates for members of the governing body.

(d) If the plan provides that the members of the governing body shall be elected by all the voters of the community school corporation, candidates shall be placed on the ballot in the form prescribed by IC 3-11-2. ~~without party designation.~~ The candidates who receive the most votes are elected.

(e) If the plan provides that members of the governing body are to be elected from residence districts by all voters in the community school corporation, nominees for the governing body shall be placed on the ballot in the form prescribed by IC 3-11-2, by residence districts. ~~without party designation.~~ The ballot must state the number of members to be voted on and the maximum number of members that may be elected from each residence district as provided in the plan. A ballot is not valid if more than the maximum number of members are

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1 voted on from a board member residence district. The candidates who
 2 receive the most votes are elected. However, if more than the
 3 maximum number that may be elected from a residence district are
 4 among those receiving the most votes, the candidates from the
 5 residence districts exceeding the maximum number who receive the
 6 fewest votes shall be eliminated in determining the candidates who are
 7 elected.

8 (f) If the plan provides that members of the governing body are to
 9 be elected from electoral districts solely by the voters of each district,
 10 nominees residing in each electoral district shall be placed on the ballot
 11 in the form prescribed by IC 3-11-2. ~~without party designation.~~ The
 12 ballot must state the number of members to be voted on from the
 13 electoral district. The candidates residing in the electoral district who
 14 receive the most votes are elected.

15 SECTION 23. IC 20-23-4-30, AS AMENDED BY P.L.193-2021,
 16 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2025]: Sec. 30. (a) This section applies to each
 18 school corporation.

19 (b) If a tie vote occurs among any of the candidates, the tie vote
 20 shall be resolved under IC 3-12-9-4.

21 (c) If after the first governing body takes office, fewer candidates
 22 have been elected to the school board than there were members to be
 23 elected, the governing body shall determine not later than noon
 24 December 31 following the election which incumbent member or
 25 members continue to hold office under Article 15, Section 3 of the
 26 Constitution of the State of Indiana until a successor is elected and
 27 qualified. However, if there is a vacancy on the governing body,
 28 whether the vacating member was elected or appointed, the **following**
 29 **apply:**

30 **(1) If the vacating member stated an affiliation with a major**
 31 **political party (as defined in IC 3-5-2-30) under**
 32 **IC 3-8-2.5-2.5(a)(5), the vacancy must be filled by a caucus**
 33 **under IC 3-13-11. A person appointed under this**
 34 **subdivision:**

35 **(A) must be from within the boundaries of the**
 36 **community school corporation; and**

37 **(B) serves for the term or balance of the term.**

38 **(2) If the vacating member did not state an affiliation with a**
 39 **major political party (as defined in IC 3-5-2-30) under**
 40 **IC 3-8-2.5-2.5(a)(5), the remaining members of the governing**
 41 **body, whether or not a majority of the governing body, shall by**
 42 **a majority vote fill the vacancy by appointing a person from**

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1 within the boundaries of the community school corporation to
 2 serve for the term or balance of the term.

3 **(d)** An individual appointed under ~~this~~ subsection **(c)** must possess
 4 the qualifications provided for a regularly elected or appointed
 5 governing body member filling the office. If:

6 (1) a tie vote occurs among the members of the governing body
 7 under ~~this~~ subsection **(c)** or IC 3-12-9-4; or

8 (2) the:

9 **(A) caucus, if the vacancy must be filled under**
 10 **subsection (c)(1); or**

11 **(B) governing body, if the vacancy must be filled under**
 12 **subsection (c)(2);**

13 fails to act within thirty (30) days after any vacancy occurs;
 14 the judge of the circuit court in the county where the majority of
 15 registered voters of the school corporation reside shall make the
 16 appointment.

17 ~~(d)~~ **(e)** A vacancy in the governing body occurs if a member ceases
 18 to be a resident of any community school corporation. A vacancy does
 19 not occur when the member moves from a district of the school
 20 corporation from which the member was elected or appointed if the
 21 member continues to be a resident of the school corporation.

22 ~~(e)~~ **(f)** At the first general election in which members of the
 23 governing body are elected:

24 (1) a simple majority of the candidates elected as members of the
 25 governing body who receive the greatest number of votes shall
 26 be elected for four (4) year terms; and

27 (2) the balance of the candidates elected as members of the
 28 governing body receiving the next greatest number of votes shall
 29 be elected for two (2) year terms.

30 Thereafter, all school board members shall be elected for four (4) year
 31 terms.

32 ~~(f)~~ **(g)** Elected governing body members take office and assume
 33 their duties on the date set in the school corporation's organization plan.
 34 The date set in the organization plan for an elected member of the
 35 governing body to take office may not be more than fourteen (14)
 36 months after the date of the member's election. If the school
 37 corporation's organization plan does not set a date for an elected
 38 member of the governing body to take office, the member takes office
 39 January 1 immediately after the member's election.

40 SECTION 24. IC 20-23-4-35, AS AMENDED BY P.L.169-2022,
 41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



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JULY 1, 2025]: Sec. 35. (a) The governing body of a school corporation may be organized under this section.

(b) The governing body consists of seven (7) members, elected as follows:

(1) Four (4) members elected from districts, with one (1) member serving from each election district. A member elected under this subdivision must be:

(A) a resident of the election district from which the member is elected; and

(B) voted upon by only the registered voters residing within the election district and voting at a governing body election.

(2) Three (3) members, who are voted upon by all the registered voters residing within the school corporation and voting at a governing body election, elected under this subdivision. The governing body shall establish three (3) residential districts as follows:

(A) One (1) residential district must be the township that has the greatest population within the school corporation.

(B) Two (2) residential districts must divide the remaining area within the school corporation.

Only one (1) member who resides within a particular residential district established under this subdivision may serve on the governing body at a time.

(c) A member of the governing body who is:

(1) elected from an election or a residential district; or

(2) appointed to fill a vacancy from an election or a residential district;

must reside within the boundaries of the district the member represents.

(d) A vacancy on the governing body ~~shall~~ **must** be filled ~~by the governing body under section 30 of this chapter~~ as soon as practicable after the vacancy occurs. A member chosen ~~by the governing body~~ to fill a vacancy holds office for the remainder of the unexpired term.

(e) The members of the governing body serving at the time a plan is amended under this section shall establish the election and residential districts described in subsection (b).

(f) The election districts described in subsection (b)(1):

(1) shall be drawn on the basis of precinct lines;

(2) may not cross precinct lines; and

(3) as nearly as practicable, be of equal population, with the population of the largest exceeding the population of the



- 1 smallest by not more than fifteen percent (15%).
- 2 (g) The residential districts described in subsection (b)(2) may:
- 3 (1) be drawn in any manner considered appropriate by the
- 4 governing body; and
- 5 (2) be drawn along township lines.
- 6 (h) The governing body shall certify the districts that are
- 7 established under subsections (f) and (g), amended under subsection
- 8 (e), or recertified under section 35.5 of this chapter to:
- 9 (1) the state board; and
- 10 (2) the circuit court clerk of each county in which the school
- 11 corporation is located as provided in section 35.5 of this chapter.
- 12 (i) The governing body shall designate:
- 13 (1) three (3) of the districts established under this section to be
- 14 elected at the first school board election that occurs after the
- 15 effective date of the plan; and
- 16 (2) the remaining four (4) districts to be elected at the second
- 17 school board election that occurs after the effective date of the
- 18 plan.
- 19 (j) The limitations set forth in this section are part of the plan, but
- 20 do not have to be specifically set forth in the plan. The plan must be
- 21 construed, if possible, to comply with this chapter. If a provision of the
- 22 plan or an application of the plan violates this chapter, the invalidity
- 23 does not affect the other provisions or applications of the plan that can
- 24 be given effect without the invalid provision or application. The
- 25 provisions of the plan are severable.
- 26 (k) IC 3-5-10 applies to a plan established under this section.
- 27 SECTION 25. IC 20-23-4-44, AS AMENDED BY P.L.104-2022,
- 28 SECTION 120, IS AMENDED TO READ AS FOLLOWS
- 29 [EFFECTIVE JULY 1, 2025]: Sec. 44. (a) This section applies only to
- 30 a school corporation with territory in a county having a population of
- 31 more than one hundred eighty-five thousand (185,000) and less than
- 32 two hundred thousand (200,000).
- 33 (b) This section applies if there is a:
- 34 (1) tie vote in an election for a member of the governing body of
- 35 a school corporation; or
- 36 (2) vacancy on the governing body of a school corporation.
- 37 (c) ~~Notwithstanding any other law, if a tie vote occurs among any~~
- 38 ~~of the candidates for the governing body or A vacancy occurs on the~~
- 39 ~~governing body the remaining members of the governing body, even if~~
- 40 ~~the remaining members do not constitute a majority of the governing~~
- 41 ~~body, shall by a majority vote of the remaining members:~~

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1 ~~(1) select one (1) of the candidates who shall be declared and~~
 2 ~~certified elected; or~~

3 ~~(2) fill the vacancy by appointing an individual to fill the~~
 4 ~~vacancy. must be filled under section 30 of this chapter.~~

5 (d) An individual appointed to fill a vacancy under subsection

6 ~~(c)(2):~~ (c):

7 (1) must satisfy all the qualifications required of a member of the
 8 governing body; and

9 (2) shall fill the remainder of the unexpired term of the vacating
 10 member.

11 (e) **Notwithstanding section 30(d) of this chapter**, if a tie vote
 12 occurs among the remaining members of the governing body or the
 13 governing body **or caucus** fails to act within thirty (30) days after the
 14 election or the vacancy occurs, the fiscal body (as defined in
 15 IC 3-5-2-25) of the township in which the greatest percentage of
 16 population of the school district resides shall break the tie or make the
 17 appointment. A member of the fiscal body who was a candidate and is
 18 involved in a tie vote may not cast a vote under this subsection.

19 (f) If the fiscal body of a township is required to act under this
 20 section and a vote in the fiscal body results in a tie, the deciding vote
 21 to break the tie vote shall be cast by the executive.

22 SECTION 26. IC 20-23-7-8.1, AS AMENDED BY P.L.219-2013,
 23 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2025]: Sec. 8.1. (a) The registered voters of the metropolitan
 25 school district shall elect the members of the metropolitan board of
 26 education at general elections held biennially, beginning with the next
 27 general election that is held more than sixty (60) days after the creation
 28 of the metropolitan school district as provided in this chapter.

29 (b) Each nominee for the board must file a petition of nomination
 30 signed by the nominee and by ten (10) registered voters residing in the
 31 same board member district as the nominee. The petition must be filed
 32 in accordance with IC 3-8-2.5 with the circuit court clerk of each
 33 county in which the metropolitan school district is located.

34 (c) Nominees for the board shall be listed on the general election
 35 ballot:

36 (1) in the form prescribed by IC 3-11-2; **and**

37 (2) by board member districts. ~~and~~

38 ~~(3) without party designation.~~

39 The ballot must state the number of board members to be voted on and
 40 the maximum number of members that may be elected from each board
 41 member district as provided under section 5 of this chapter. A ballot

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that contains more votes than the maximum number allowed from a board member district is invalid.

(d) The precinct election boards in each county serving at the general election shall conduct the election for school board members.

(e) Voting and tabulation of votes shall be conducted in accordance with IC 3, and the candidates who receive the most votes are elected to the board.

(f) If there are more candidates from a particular board member district than may be elected from the board member district under section 5 of this chapter:

(1) the number of candidates elected is the greatest number that may be elected from the board member district;

(2) the candidates elected are those who, among the candidates from the board member district, receive the most votes; and

(3) the other candidates from the board member district are eliminated.

(g) If there is a tie vote among the candidates for the board, the judge of the circuit court in the county where the majority of the registered voters of the metropolitan school district reside shall select one (1) of the candidates who shall be declared and certified elected.

(h) If, at any time after the first board member election, a vacancy on the board occurs for any reason, including an insufficient number of petitions for candidates being filed, and regardless of whether the vacating member was elected or appointed, the ~~remaining members of the board; whether or not a majority of the board; shall by a majority vote fill the vacancy by:~~

~~(1) appointing a person from the board member district from which the person who vacated the board was elected; or~~

~~(2) if the person was appointed; appointing a person from the board member district from which the last elected predecessor of the person was elected.~~

~~If a majority of the remaining members of the board is unable to agree or the board fails to act within thirty (30) days after a vacancy occurs; the judge of the circuit court in the county where the majority of registered voters of the metropolitan school district reside shall make the appointment. must be filled under IC 20-23-4-30.~~

(i) At a general election held on the earlier of:

(1) more than sixty (60) days after an elected board member vacates membership on the board; or

(2) immediately before the end of the term for which the vacating member was elected;

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a successor to a board member appointed under subsection (h) shall be elected. Unless the successor takes office at the end of the term of the vacating member, the member shall serve only for the balance of the vacating member's term. In an election for a successor board member to fill a vacancy for a two (2) year balance of a term, candidates for board membership need not file for or with reference to the vacancy. However, as required by IC 3-11-2, candidates for at-large seats must be distinguished on the ballot from candidates for district seats. If there is more than one (1) at-large seat on the ballot due to this vacancy, the elected candidate who receives the fewest votes at the election at which the successor is elected shall serve for a two (2) year term.

(j) At the first general election where members of the board are elected under this section, the elected candidates who constitute a simple majority of the elected candidates and who receive the most votes shall be elected for four (4) year terms, and the other elected candidates shall be elected for two (2) year terms.

(k) Board members shall be elected for four (4) year terms after the first election and shall take office on the date set in the school corporation's organization plan. The date set in the organization plan for an elected member of the governing body to take office may not be more than fourteen (14) months after the date of the member's election. If the school corporation's organization plan does not set a date for an elected member of the governing body to take office, the member takes office January 1 immediately following the member's election.

SECTION 27. IC 20-23-13-2.1, AS ADDED BY P.L.179-2011, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.1. (a) As used in this section, "county election board" includes a board of elections and registration established under IC 3-6-5.2.

(b) The voters of the school corporation shall elect the members of the governing body at a general election for a term of four (4) years. The members shall be elected from the city at large without reference to district.

(c) Each candidate for election to the governing body must file a petition of nomination with the county election board in each county in which a school corporation subject to this chapter is located. The petition of nomination must comply with IC 3-8-2.5 and the following requirements:

- (1) The petition must be signed by at least two hundred (200) legal voters of the school corporation.
- (2) Each petition may nominate only one (1) candidate.

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- 1 (3) The number of petitions signed by a legal voter may not
 2 exceed the number of school trustees to be elected.
- 3 (d) After all the petitions described in subsection (c) are filed with
 4 the county election board, the board shall publish the names of those
 5 nominated in accordance with IC 5-3-1 and shall certify the
 6 nominations in the manner required by law. IC 3 governs the election
 7 to the extent that it is not inconsistent with this chapter.
- 8 (e) The county election board shall prepare the ballot for the
 9 general election at which members of the governing body are to be
 10 elected so that the names of the candidates nominated appear on the
 11 ballot:
- 12 (1) in alphabetical order; **and**
 13 ~~(2) without party designation; and~~
 14 ~~(3) (2) in the form prescribed by IC 3-11-2.~~
- 15 (f) The county election board shall not publish or place on the
 16 ballot the name of a candidate who is not eligible under this chapter for
 17 membership on the governing body.
- 18 (g) Each voter may vote for as many candidates as there are
 19 members of the governing body to be elected.
- 20 SECTION 28. IC 20-23-14-3, AS AMENDED BY P.L.271-2013,
 21 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2025]: Sec. 3. (a) The governing body of the school
 23 corporation consists of five (5) members. ~~elected on a nonpartisan~~
 24 ~~basis.~~
- 25 (b) Three (3) of the members are elected from the school districts
 26 referred to in section 4.5 of this chapter by eligible voters residing in
 27 the school districts. Each member:
- 28 (1) is elected from the school district in which the member
 29 resides; and
 30 (2) upon election and in conducting the business of the
 31 governing body, represents the interests of the entire school
 32 corporation.
- 33 (c) Two (2) of the members:
- 34 (1) are elected by eligible voters residing in the school
 35 corporation;
 36 (2) are at-large members of the governing body; and
 37 (3) upon election and in conducting the business of the
 38 governing body, represent the interests of the entire school
 39 corporation.
- 40 SECTION 29. IC 20-23-14-5, AS AMENDED BY P.L.6-2012,
 41 SECTION 127, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2025]: Sec. 5. (a) To be eligible to be a candidate for the governing body under this chapter, the following apply:

(1) Each prospective candidate must file a petition of nomination with the board of elections and registration not earlier than one hundred four (104) days and not later than noon seventy-four (74) days before the general election at which the members are to be elected. The petition of nomination must include the following:

(A) The name of the prospective candidate.

(B) Whether the prospective candidate is a district candidate or an at-large candidate.

(C) A certification that the prospective candidate meets the qualifications for candidacy imposed under this chapter.

(D) The signatures of at least one hundred (100) registered voters residing in the school corporation.

(2) Each prospective candidate for a district position must:

(A) reside in the district; and

(B) have resided in the district for at least the three (3) years immediately preceding the election.

(3) Each prospective candidate for an at-large position must:

(A) reside in the school corporation; and

(B) have resided in the school corporation for at least the three (3) years immediately preceding the election.

(4) Each prospective candidate (regardless of whether the candidate is a district candidate or an at-large candidate) must:

(A) be a registered voter;

(B) have been a registered voter for at least the three (3) years immediately preceding the election; and

(C) be a high school graduate or have received a:

(i) high school equivalency certificate; or

(ii) state general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.

(5) A prospective candidate may not:

(A) hold any other elective or appointive office; or

(B) have a pecuniary interest in any contract with the school corporation or its governing body;

as prohibited by law.

(b) The following apply to a petition of nomination required under subsection (a)(1):



(1) The petition must:

(A) contain the information required under IC 3-8-2.5-2.5(a)(5); and

(B) be accompanied by the certification described in IC 3-8-2.5-2.5(b), if required under IC 3-8-2.5-2.5(c).

(2) Unless a candidate that states a political party affiliation under IC 3-8-2.5-2.5(a)(5)(A) is challenged under IC 3-8-2.5-7, the candidate's statement under IC 3-8-2.5-2.5(a)(5) must be indicated on the ballot in the manner determined by the board of elections and registration.

(3) IC 3-8-2.5-2.5(c) and IC 3-8-2.5-7(e) through IC 3-8-2.5-7(g) apply to a candidate who files a petition of nomination.

SECTION 29. IC 20-23-14-10, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. The governing body shall temporarily fill A vacancy on the governing body **must be filled temporarily under IC 20-23-4-30** as soon as practicable after the vacancy occurs. The member chosen must reside in the same district as the vacating member. A member chosen by the governing body to fill a vacancy holds office for the remainder of the unexpired term.

SECTION 30. IC 20-23-15-6, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The governing body of the school corporation consists of seven (7) members who shall be elected

~~(1) on a nonpartisan basis; and~~

~~(2) in the general election held in the county.~~

(b) Five (5) of the members shall be elected from the school districts in which the members reside as established under section 7 of this chapter.

(c) Two (2) of the members shall be elected at large.

SECTION 31. IC 20-23-15-12, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) A vacancy on the governing body must be filled temporarily ~~by the governing body~~ **under IC 20-23-4-30** as soon as practicable after the vacancy occurs.

(b) A member chosen by the governing body to fill a vacancy holds office for the remainder of the unexpired term and shall be chosen from the same district as the vacating member if the vacating member held a district position.

SECTION 32. IC 20-23-17-3, AS AMENDED BY P.L.141-2023,

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SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) The governing body of the school corporation consists of five (5) members chosen as follows:

(1) Three (3) members shall be elected by the voters of the school corporation at a general election to be held in the county as follows:

(A) Two (2) members of the governing body shall:

(i) be elected at the general election in 2024, 2028, 2032, 2036, 2040, 2044, and every four (4) years thereafter; and

(ii) take office as provided in section 4 of this chapter.

(B) One (1) member of the governing body shall:

(i) be elected at the general election in 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter; and

(ii) take office as provided in section 4 of this chapter.

(2) One (1) member shall:

(A) be appointed by the city executive in 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter; and

(B) take office as provided in section 4 of this chapter.

(3) One (1) member shall:

(A) be appointed by the city legislative body in 2025, 2029, 2033, 2037, 2041, and every four (4) years thereafter; and

(B) take office as provided in section 4 of this chapter.

(b) The members elected under subsection (a)(1) shall be elected as follows:

~~(1) On a nonpartisan basis.~~

~~(2) (1) In a general election held in the county.~~

~~(3) (2) By the registered voters of the entire school corporation.~~

(c) The following apply to an election of members of the governing body of the school corporation under subsection (a)(1):

(1) Each candidate must file a petition of nomination with the circuit court clerk not earlier than one hundred four (104) days and not later than seventy-four (74) days before the election at which members are to be elected. The petition of nomination must include the following information:

(A) The name of the candidate.

(B) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.

(2) Only eligible voters residing in the school corporation may vote for a candidate seeking election.



(d) The following apply to a petition of nomination required under subsection (c)(1):

(1) The petition must:

(A) contain the information required under IC 3-8-2.5-2.5(a)(5); and

(B) be accompanied by the certification described in IC 3-8-2.5-2.5(b), if required under IC 3-8-2.5-2.5(c).

(2) Unless a candidate that states a political party affiliation under IC 3-8-2.5-2.5(a)(5)(A) is challenged under IC 3-8-2.5-7, the candidate's statement under IC 3-8-2.5-2.5(a)(5) must be indicated on the ballot in the manner determined by the county election board.

(3) IC 3-8-2.5-2.5(c) and IC 3-8-2.5-7(e) through IC 3-8-2.5-7(g) apply to a candidate who files a petition of nomination.

SECTION 33. IC 20-23-17-6, AS ADDED BY P.L.179-2011, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) A vacancy in the office of an elected member of the governing body shall be filled temporarily by the city legislative body under IC 20-23-4-30 as soon as practicable after the vacancy occurs.

(b) A vacancy in the office of an appointed member of the governing body of the school corporation shall be filled by the appointing authority that appointed the member whose office is vacant.

(c) An individual filling a vacancy under this section serves until the expiration of the term of the member whose position the individual fills.

SECTION 34. IC 20-23-17.2-3.1, AS AMENDED BY P.L.141-2023, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.1. (a) The governing body of the school corporation consists of five (5) members, elected as provided in this chapter.

(b) Three (3) members shall be elected as follows:

(1) From districts established as provided in section 4.1 of this chapter.

~~(2) On a nonpartisan basis.~~

~~(3) (2)~~ (2) At the general election held in the county in 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter.

(c) Two (2) members shall be elected as follows:

(1) At large by all the voters of the school corporation.

~~(2) On a nonpartisan basis.~~

~~(3) (2)~~ (2) At the general election held in the county in 2024, 2028,

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- 1 2032, 2036, 2040, 2044, and every four (4) years thereafter.
- 2 (d) The term of office of a member of the governing body:
- 3 (1) is four (4) years; and
- 4 (2) begins January 1 after the election of members of the
- 5 governing body.
- 6 (e) Upon assuming office and in conducting the business of the
- 7 governing body, a member shall represent the interests of the entire
- 8 school corporation.
- 9 SECTION 35. IC 20-23-17.2-5, AS AMENDED BY
- 10 P.L.222-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The following apply to an
- 12 election of members of the governing body of the school corporation
- 13 under section 3.1(b) of this chapter:
- 14 (1) Each candidate must file a petition of nomination with the
- 15 circuit court clerk not earlier than one hundred four (104) days
- 16 and not later than seventy-four (74) days before the general
- 17 election at which members are to be elected. The petition of
- 18 nomination must include the following information:
- 19 (A) The name of the candidate.
- 20 (B) The candidate's residence address and the district in
- 21 which the candidate resides.
- 22 (C) The signatures of at least twenty (20) registered voters
- 23 residing within the school corporation district the candidate
- 24 seeks to represent.
- 25 (D) A certification that the candidate meets the
- 26 qualifications for candidacy imposed by this chapter.
- 27 (E) The school corporation district that the candidate seeks
- 28 to represent.
- 29 (2) Only eligible voters residing in the school corporation district
- 30 as provided in section 4.1 of this chapter may vote for a
- 31 candidate to represent that school corporation district.
- 32 (3) One (1) candidate shall be elected for each school
- 33 corporation district provided by section 4.1 of this chapter. The
- 34 candidate elected for a school corporation district must reside
- 35 within the boundaries of the school corporation district. The
- 36 candidate elected as the member for a particular school
- 37 corporation district is the candidate who, among all the
- 38 candidates who reside within that school corporation district,
- 39 receives the greatest number of votes from voters residing in that
- 40 school corporation district.
- 41 (b) The following apply to an election of the members of the

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governing body of the school corporation under section 3.1(c) of this chapter:

(1) Each candidate must file a petition of nomination with the circuit court clerk not earlier than one hundred four (104) days and not later than seventy-four (74) days before the general election at which members are to be elected. The petition of nomination must include the following information:

(A) The name of the candidate.

(B) The candidate's residence address.

(C) The signatures of at least one hundred (100) registered voters residing within the school corporation.

(D) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.

(E) The fact that the candidate seeks to be elected from the school corporation at large.

(2) Only eligible voters residing in the school corporation may vote for a candidate.

(3) Two (2) candidates shall be elected at large. The two (2) candidates who receive the greatest number of votes among all candidates running for an at-large seat are elected as members of the governing body.

(c) The following apply to a petition of nomination required under subsections (a)(1) and (b)(1):

(1) The petition must:

(A) contain the information required under IC 3-8-2.5-2.5(a)(5); and

(B) be accompanied by the certification described in IC 3-8-2.5-2.5(b), if required under IC 3-8-2.5-2.5(c).

(2) Unless a candidate that states a political party affiliation under IC 3-8-2.5-2.5(a)(5)(A) is challenged under IC 3-8-2.5-7, the candidate's statement under IC 3-8-2.5-2.5(a)(5) must be indicated on the ballot in the manner determined by the county election board.

(3) IC 3-8-2.5-2.5(c) and IC 3-8-2.5-7(e) through IC 3-8-2.5-7(g) apply to a candidate who files a petition of nomination.

SECTION 36. IC 20-23-17.2-10, AS ADDED BY P.L.179-2011, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. A vacancy in the office of a member of the governing body of the school corporation shall be filled temporarily by the governing body under IC 20-23-4-30 as soon as practicable after the vacancy occurs. An individual filling a vacancy under this section

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1 serves until the expiration of the term of the member whose position
2 the individual fills.

3 SECTION 37. IC 20-25-3-4, AS AMENDED BY P.L.169-2022,
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2025]: Sec. 4. (a) The board consists of seven (7) members.
6 A member:

7 (1) must be elected ~~on a nonpartisan basis~~ in general elections
8 held in the county as specified in this section; and

9 (2) serves a four (4) year term.

10 (b) Five (5) members shall be elected from the school board
11 districts in which the members reside, and two (2) members must be
12 elected at large.

13 (c) If a candidate runs for one (1) of the district positions on the
14 board, only eligible voters residing in the candidate's district may vote
15 for that candidate. If a person is a candidate for one (1) of the at-large
16 positions, eligible voters from all the districts may vote for that
17 candidate.

18 (d) If a candidate files to run for a position on the board, the
19 candidate must specify whether the candidate is running for a district
20 or an at-large position.

21 (e) A candidate who runs for a district or an at-large position wins
22 if the candidate receives the greatest number of votes of all the
23 candidates for the position.

24 (f) Districts shall be established within the school city by the board
25 of school commissioners. The districts must be drawn on the basis of
26 precinct lines, and as nearly as practicable, of equal population with the
27 population of the largest district not to exceed the population of the
28 smallest district by more than five percent (5%). District lines must not
29 cross precinct lines. The board of school commissioners shall establish:

30 (1) balloting procedures for the election under IC 3; and

31 (2) other procedures required to implement this section.

32 (g) A member of the board serves under section 3 of this chapter.

33 (h) ~~In accordance with subsection (k);~~ A vacancy in the board shall
34 be filled temporarily ~~by the board~~ **under IC 20-23-4-30** as soon as
35 practicable after the vacancy occurs. The member chosen by the board
36 to fill a vacancy holds office until the member's successor is elected
37 and qualified. The successor shall be elected at the next regular school
38 board election occurring after the date on which the vacancy occurs.
39 The successor fills the vacancy for the remainder of the term.

40 (i) An individual elected to serve on the board begins the
41 individual's term on the date set in the school corporation's organization

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plan. The date set in the organization plan for an elected member of the board to take office may not be more than fourteen (14) months after the date of the member's election. If the school corporation's organization plan does not set a date for a member of the board to take office, the member takes office January 1 immediately following the individual's election.

(j) Notwithstanding any law to the contrary, each voter must cast a vote for a school board candidate or school board candidates by voting system or paper ballot. However, the same method used to cast votes for all other offices for which candidates have qualified to be on the election ballot must be used for the board offices.

~~(k) If a vacancy in the board exists because of the death of a member, the remaining members of the board shall meet and select an individual to fill the vacancy in accordance with subsection (h) after the secretary of the board receives notice of the death under IC 5-8-6.~~

SECTION 38. IC 20-26-4-4, AS AMENDED BY P.L.193-2021, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. If fewer candidates have been elected to the school board than there were members to be elected, the governing body shall determine not later than noon December 31 following the election which incumbent member or members continue to hold office under Article 15, Section 3 of the Constitution of the State of Indiana until a successor is elected and qualified. However, if a vacancy in the membership of a governing body occurs, whether the vacancy was of an elected or appointed member, the ~~remaining members of the governing body shall by majority vote fill the vacancy must be filled under IC 20-23-4-30~~ by appointing a person from within the boundaries of the school corporation, with the residence and other qualifications provided for a regularly elected or appointed board member filling the membership, to serve for the term or the balance of the term. However, this ~~subsection~~ **section** does not apply to a vacancy:

- (1) of a member who serves on a governing body in an ex officio capacity; or
- (2) a vacancy in an appointed board membership if a plan, resolution, or law under which the school corporation operates specifically provides for filling vacancies by the appointing authority.

SECTION 39. IC 20-26-4-4.5, AS AMENDED BY P.L.233-2015, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.5. (a) The definitions in IC 3-5-2 apply to this section.



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(b) If a vacancy in a school board office exists because of the death of a school board member, the ~~remaining members of the governing body shall meet and select an individual to fill the vacancy~~ **must be filled under IC 20-23-4-30 after the secretary of the governing body receives notice of the death under IC 5-8-6 and in accordance with section 4 of this chapter. If IC 20-23-4-30(c)(2) applies to the vacancy, the vacancy must be filled after the secretary of the governing body receives notice of the death under IC 5-8-6.**

SECTION 40. IC 20-26-4-7, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) ~~Except as provided in IC 20-25-3-3, The governing body of a school corporation by resolution has the power to pay each member of the governing body a reasonable amount for service as a member. Except as provided in IC 20-25-3-3, an amount paid to a member under this subsection may include not to exceed:~~ **more than the following:**

(1) ~~two thousand dollars (\$2,000) per year; and An annual amount not to exceed ten percent (10%) of the lowest starting salary of a teacher employed by the school corporation in which the member serves on the governing body.~~

(2) A per diem not to exceed the rate approved for members of the board of school commissioners under IC 20-25-3-3(d).

(b) If the members of the governing body are totally comprised of appointed members, the appointive authority under IC 20-23-4-28(e) shall approve the per diem rate allowable under subsection (a)(2) before the governing body may make the payments.

(c) To make a valid approval under subsection (b), the appointive authority must approve the per diem rate with the same endorsement required under IC 20-23-4-28(f) to make the appointment of the member.

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