

IC 21-28-4

Chapter 4. Joint Building and Financing Agreements; Joint Laboratory School Agreements

IC 21-28-4-1

Applicability of chapter

Sec. 1. This chapter applies to all state educational institutions.
As added by P.L.2-2007, SEC.269.

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Board; limitation of powers

Sec. 2. This chapter does not authorize the board of trustees of a state educational institution to exercise a power under an agreement that the board of trustees could not otherwise separately exercise under an enabling statute.
As added by P.L.2-2007, SEC.269.

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Joint powers

Sec. 3. If:
(1) the board of trustees of a state educational institution wants to exercise a power or powers conferred to it under one (1) or more of the state educational institution's enabling statutes; and
(2) the board of trustees of one (1) or more other state educational institutions want to exercise a power or powers conferred to it or them under one (1) or more enabling statutes; both or all of those boards of trustees may exercise the powers jointly as provided in this chapter.
As added by P.L.2-2007, SEC.269.

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Resolutions

Sec. 4. A board of trustees that wants to exercise powers granted in an enabling act must enter into a written agreement by resolution.
As added by P.L.2-2007, SEC.269.

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Agreements

Sec. 5. An agreement:
(1) must provide for the following:
(A) Its duration.
(B) Its purpose.
(C) The manner of:
(i) financing, staffing, and supplying the joint undertaking;
and
(ii) establishing and maintaining a budget for the joint undertaking.
(D) The methods that may be employed to:

- (i) accomplish the partial or complete termination of the agreement; and
 - (ii) dispose of property upon partial or complete termination.
- (E) Administration through a separate legal entity.
- (F) With respect to a separate legal entity:
- (i) the nature;
 - (ii) the organization;
 - (iii) the composition; and
 - (iv) the powers;
- of the separate legal entity; and
- (2) may provide for any other appropriate matters.
- As added by P.L.2-2007, SEC.269.*

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Separate legal entities; powers

Sec. 6. A separate legal entity established by an agreement has only the powers delegated to it by the agreement.

As added by P.L.2-2007, SEC.269.

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Agreement filings

Sec. 7. Before an agreement takes effect, a copy of the agreement must be filed with the board of trustees of each state educational institution that is a party to the agreement.

As added by P.L.2-2007, SEC.269.

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Agreement filings; state board of accounts

Sec. 8. Not later than sixty (60) days after an agreement takes effect, a copy of the agreement must be filed with:

- (1) the state board of accounts for audit purposes; and
- (2) the budget agency.

As added by P.L.2-2007, SEC.269.