

# PROPOSED AMENDMENT

## SB 37 # 3

### DIGEST

Adjusting county portion of NIRPC budget. Requires the northwestern Indiana regional planning commission (NIRPC), beginning with calendar year 2025 and for each year thereafter through calendar year 2029, to annually adjust each participating county's portion of the budget by certain prescribed amounts. Requires the NIRPC, beginning in calendar year 2030 for the ensuing year and each year thereafter, to adjust each participating county's portion of the budget by the greater of the following: (1) The annual percentage change in the Consumer Price Index for all Urban Consumers. (2) The participating county's maximum levy growth quotient for the ensuing year. Provides that an adjustment resulting in an appropriation in excess of \$1.50 per capita in a participating county requires prior approval from the fiscal body of the participating county.

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- 1           Page 3, between lines 18 and 19, begin a new paragraph and insert:  
2           "SECTION 3. IC 36-7-7.6-18, AS AMENDED BY P.L.197-2016,  
3           SECTION 124, IS AMENDED TO READ AS FOLLOWS  
4           [EFFECTIVE JULY 1, 2024]: Sec. 18. (a) The commission shall  
5           prepare and adopt an annual appropriation budget for its operation. The  
6           appropriation budget shall be apportioned to each participating county  
7           on a pro rata per capita basis. After adoption of the appropriation  
8           budget, any amount that does not exceed an amount for each  
9           participating county equal to ~~seventy cents (\$0.70)~~ **the following**  
10          **amounts** per capita for each participating county shall be certified to  
11          the respective county ~~auditor~~: **auditor:**  
12                **(1) Seventy cents (\$0.70) for calendar years ending before**  
13                **January 1, 2025.**  
14                **(2) Eighty-six cents (\$0.86) for calendar years beginning after**  
15                **December 31, 2024, and ending before January 1, 2026.**  
16                **(3) One dollar and two cents (\$1.02) for calendar years**  
17                **beginning after December 31, 2025, and ending before**  
18                **January 1, 2027.**  
19                **(4) One dollar and eighteen cents (\$1.18) for calendar years**  
20                **beginning after December 31, 2026, and ending before**  
21                **January 1, 2028.**  
22                **(5) One dollar and thirty-four cents (\$1.34) for calendar years**  
23                **beginning after December 31, 2027, and ending before**

1           **January 1, 2029.**  
 2           **(6) One dollar and fifty cents (\$1.50) for calendar years**  
 3           **beginning after December 31, 2028, and ending before**  
 4           **January 1, 2030.**

5           **(b) For calendar years beginning after December 31, 2029, and**  
 6           **ending before January 1, 2031, and for each ensuing calendar year**  
 7           **thereafter, the commission shall, based on a participating county's**  
 8           **amount in calendar year 2029, or a participating county's amount**  
 9           **in the calendar year preceding an ensuing calendar year, as**  
 10           **applicable, adjust a participating county's portion of the**  
 11           **commission's appropriation budget for the ensuing year by the**  
 12           **greater of the following:**

13           **(1) The annual percentage change in the Consumer Price**  
 14           **Index for all Urban Consumers as published by the United**  
 15           **States Bureau of Labor Statistics for the year preceding the**  
 16           **ensuing year.**

17           **(2) The participating county's maximum levy growth quotient**  
 18           **for the ensuing year as determined under IC 6-1.1-18.5-2.**

19           **Not later than August 1 of each year, the department of local**  
 20           **government finance shall provide to the commission the value of**  
 21           **each participating county's maximum levy growth quotient under**  
 22           **IC 6-1.1-18.5-2 for the ensuing year.**

23           **(c) Any adjustment under subsection (b) that will result in an**  
 24           **appropriation in excess of one dollar and fifty cents (\$1.50) per**  
 25           **capita in a participating county requires prior approval from the**  
 26           **fiscal body of the participating county.**

27           ~~(b)~~ **(d) A county's portion of the commission's appropriation budget**  
 28           **may be paid from any of the following, as determined by the county**  
 29           **fiscal body:**

30           **(1) Property tax revenue as provided in subsections ~~(e)~~ (e) and**  
 31           **~~(d)~~ (f).**

32           **(2) Any other local revenue, other than property tax revenue,**  
 33           **received by the county, including local income tax revenue under**  
 34           **IC 6-3.6, excise tax revenue, riverboat admissions tax revenue,**  
 35           **riverboat wagering tax revenue, riverboat incentive payments, and**  
 36           **any funds received from the state that may be used for this**  
 37           **purpose.**

38           **(3) Any combination of the sources set forth in subdivisions**  
 39           **(1) and (2).**

40           ~~(e)~~ **(e) The county auditor shall:**

1 (1) advertise the amount of property taxes that the county fiscal  
 2 body determines will be levied to pay the county's portion of the  
 3 commission's appropriation budget, after the county fiscal body  
 4 determines the amount of other local revenue that will be paid  
 5 under subsection ~~(b)(2)~~; **(d)(2)**; and

6 (2) establish the rate necessary to collect that property tax  
 7 revenue;

8 in the same manner as for other county budgets.

9 ~~(d)~~ **(f)** The tax levied under this section and certified shall be  
 10 estimated and entered upon the tax duplicates by the county auditor and  
 11 shall be collected and enforced by the county treasurer in the same  
 12 manner as other county taxes are estimated, entered, collected, and  
 13 enforced. The tax collected by the county treasurer shall be transferred  
 14 to the commission.

15 ~~(e)~~ **(g)** In fixing and determining the amount of the necessary levy  
 16 for the purpose provided in this section, the commission shall take into  
 17 consideration the amount of revenue, if any, to be derived from federal  
 18 grants, contractual services, and miscellaneous revenues above the  
 19 amount of those revenues considered necessary to be applied upon or  
 20 reserved upon the operation, maintenance, and administrative expenses  
 21 for working capital throughout the year.

22 ~~(f)~~ **(h)** After the budget is approved, amounts may not be expended  
 23 except as budgeted unless the commission authorizes their expenditure.  
 24 Before the expenditure of sums appropriated as provided in this  
 25 section, a claim must be filed and processed as other claims for  
 26 allowance or disallowance for payment as provided by law.

27 ~~(g)~~ **(i)** Any two (2) of the following officers may allow claims:

- 28 (1) Chairperson.
- 29 (2) Vice chairperson.
- 30 (3) Secretary.
- 31 (4) Treasurer.

32 ~~(h)~~ **(j)** The treasurer of the commission may receive, disburse, and  
 33 otherwise handle funds of the commission, subject to applicable  
 34 statutes and to procedures established by the commission.

35 ~~(i)~~ **(k)** The commission shall act as a board of finance under the  
 36 statutes relating to the deposit of public funds by political subdivisions.

37 ~~(j)~~ **(l)** Any appropriated money remaining unexpended or  
 38 unencumbered at the end of a year becomes part of a nonreverting  
 39 cumulative fund to be held in the name of the commission. Unbudgeted  
 40 expenditures from this fund may be authorized by vote of the

1 commission and upon other approval as required by statute. The  
2 commission is responsible for the safekeeping and deposit of the  
3 amounts in the nonreverting cumulative fund, and the state board of  
4 accounts shall prescribe the methods and forms for keeping the  
5 accounts, records, and books to be used by the commission. The books,  
6 records, and accounts of the commission shall be audited periodically  
7 by the state board of accounts, and those audits shall be paid for as  
8 provided by statute."

9 Renumber all SECTIONS consecutively.

(Reference is to SB 37 as reprinted January 24, 2024.)