

HOUSE BILL No. 1267

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1; IC 12-7-2-140.5; IC 12-20; IC 36-1.5-4-1; IC 36-6; IC 36-8.

Synopsis: Consolidation of township governments. Provides that on January 1, 2019, in all counties (except Marion County) all townships are consolidated into a single township (consolidated township). On January 1, 2019, in all counties (except Marion County) the offices of township trustee and township board of the former townships are eliminated and their powers, duties, and responsibilities are transferred to the offices of township trustee and township board of the consolidated township. Provides that at the 2018 general election and every four years thereafter: (1) a three member township board is elected at large to serve as the legislative and fiscal body of the consolidated township; and (2) a township trustee is elected to serve as the executive of the consolidated township. Transfers assets, debts, property rights, equipment, records, personnel, and contracts of the eliminated townships to the consolidated townships. Provides that for budgets of the consolidated townships adopted for 2019 and thereafter: (1) the township's budget, property tax levies, and rate must be reviewed and approved by the county fiscal body; and (2) the county fiscal body may reduce and modify but not increase the budget in formulating the final proposed township budget, levies, and rate. Provides that: (1) the consolidated township may levy property taxes to pay township indebtedness or lease rental obligations incurred by an eliminated township only in the geographic area of the eliminated township that originally issued the debt or entered into the lease rental agreement; and (2) the territory of the eliminated township comprises a taxing district for the purpose of paying the indebtedness or obligation. Allows the consolidated township to levy taxes for the
(Continued next page)

Effective: July 1, 2014.

Negele, Karickhoff

January 14, 2014, read first time and referred to Committee on Government and Regulatory Reform.



payment of pension debt and obligations only within the boundaries of the eliminated township that incurred the pension debt and obligations. Establishes a transition board (board) in each county (except Marion County) on July 1, 2016, that consists of all township trustees in the county. Provides that a member of the county executive: (1) serves as the board's chairman; and (2) may vote only to break a tie. Requires the board to do the following: (1) Not later than January 1, 2018, propose uniform township assistance standards (standards) for the consolidated township. (2) Not later than July 1, 2018, propose a township assistance plan for the delivery of township assistance services to the consolidated township consistent with the uniform standards. (3) Not later than July 1, 2017, adopt a fire protection and emergency services plan (fire plan) for the provision of fire services to the unincorporated area of the consolidated township, which must be approved by the county legislative body. (4) Propose a 2019 budget for the consolidated township. Provides the following: (1) Requires the department of local government finance (DLGF) to adopt the standards and township assistance plan if the board fails to fulfill the board's duties. (2) Requires the county legislative body to adopt the fire plan if the board fails to fulfill the board's duties. (3) Requires the division of fire and building safety of the Indiana department of homeland security to adopt a fire plan if the county legislative body fails to fulfill the county legislative body's duties. Allows a consolidated township to provide fire protection and emergency services in the unincorporated areas of the township through any combination of: (1) operating a consolidated township fire department; (2) contracting with or otherwise cooperating with any municipality, county, fire protection district, volunteer fire department, fire protection territory, or other entity; or (3) entering into mutual aid agreements. Provides that an elected township assessor continues to be elected and perform the assessor's assessment duties within the geographic boundaries of a township that is eliminated on January 1, 2019. Provides that on January 1, 2019, a consolidated township assumes the powers and obligations of an eliminated township that was a participating unit in a fire protection territory. Allows the township trustee of a consolidated township to pay township assistance claims in advance of a township legislative body allowance. Requires the DLGF to: (1) prepare an annual report regarding each township and post the report on the department's Internet web site; and (2) post the first report not later than July 1, 2015, and the last report not later than July 1, 2018. Repeals statutes regarding the division of counties into townships and township merger and dissolution of a township merger.



Introduced

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1267

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

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

1 SECTION 1. IC 6-1.1-17-2, AS AMENDED BY P.L.1-2006,
2 SECTION 135, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) When formulating an annual
4 budget estimate, the proper officers of a political subdivision shall
5 prepare an estimate of the amount of revenue which the political
6 subdivision will receive from the state for and during the budget year
7 for which the budget is being formulated. These estimated revenues
8 shall be shown in the budget estimate and shall be taken into
9 consideration in calculating the tax levy which is to be made for the
10 ensuing calendar year. However, this section does not apply to funds
11 to be received from the state or the federal government for:
12 (1) township assistance;
13 (2) unemployment relief;
14 (3) old age pensions; or

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1 (4) other funds which may at any time be made available under
 2 "The Economic Security Act" or under any other federal act
 3 which provides for civil and public works projects.

4 (b) When formulating an annual budget estimate, the proper officers
 5 of a political subdivision shall prepare an estimate of the amount of
 6 revenue that the political subdivision will receive under a development
 7 agreement (as defined in IC 36-1-8-9.5) for and during the budget year
 8 for which the budget is being formulated. Revenue received under a
 9 development agreement may not be used to reduce the political
 10 subdivision's maximum levy under IC 6-1.1-18.5 but may be used at
 11 the discretion of the political subdivision to reduce the property tax
 12 levy of the political subdivision for a particular year.

13 **(c) This subsection applies only to a county not having a**
 14 **consolidated city. Beginning with the budget adopted for 2019 and**
 15 **for each year thereafter, the county fiscal body must review and**
 16 **approve the budget, tax rate, and tax levy of the township in the**
 17 **county under section 5 of this chapter.**

18 SECTION 2. IC 6-1.1-17-3, AS AMENDED BY P.L.137-2012,
 19 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2014]: Sec. 3. (a) The proper officers of a political subdivision
 21 shall formulate its estimated budget and its proposed tax rate and tax
 22 levy on the form prescribed by the department of local government
 23 finance and approved by the state board of accounts. The political
 24 subdivision or appropriate fiscal body, if the political subdivision is
 25 subject to section 20 of this chapter, shall give notice by publication to
 26 taxpayers of:

- 27 (1) the estimated budget;
 28 (2) the estimated maximum permissible levy;
 29 (3) the current and proposed tax levies of each fund; and
 30 (4) the amounts of excessive levy appeals to be requested.

31 The political subdivision or appropriate fiscal body shall also state the
 32 time and place at which the political subdivision or appropriate fiscal
 33 body will hold a public hearing on these items. The political
 34 subdivision or appropriate fiscal body shall publish the notice twice in
 35 accordance with IC 5-3-1 with the first publication at least ten (10)
 36 days before the date fixed for the public hearing. The first publication
 37 must be before September 14, and the second publication must be
 38 before September 21 of the year. The political subdivision shall pay for
 39 the publishing of the notice.

40 (b) The board of directors of a solid waste management district
 41 established under IC 13-21 or IC 13-9.5-2 (before its repeal) may
 42 conduct the public hearing required under subsection (a):



- 1 (1) in any county of the solid waste management district; and
 2 (2) in accordance with the annual notice of meetings published
 3 under IC 13-21-5-2.

4 (c) The trustee of each township in the county shall estimate the
 5 amount necessary to meet the cost of township assistance in the
 6 township for the ensuing calendar year. The township board shall adopt
 7 with the township budget a tax rate sufficient to meet the estimated cost
 8 of township assistance. The taxes collected as a result of the tax rate
 9 adopted under this subsection are credited to the township assistance
 10 fund.

11 **(d) This subsection applies only to a county not having a**
 12 **consolidated city. Beginning with the budget adopted for 2019 and**
 13 **for each year thereafter, a township must have the township's**
 14 **budget and property tax levy reviewed and approved by the county**
 15 **fiscal body under section 20.2 of this chapter.**

16 SECTION 3. IC 6-1.1-17-3.5, AS AMENDED BY P.L.257-2013,
 17 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2014]: Sec. 3.5. (a) This section does not apply to taxing units
 19 located in a county in which a county board of tax adjustment reviews
 20 budgets, tax rates, and tax levies. This section does not apply to a
 21 taxing unit that has its proposed budget and proposed property tax levy
 22 approved under section 20 or 20.3 of this chapter or IC 36-3-6-9.
 23 **Beginning with budgets adopted for 2019 and for budgets adopted**
 24 **for each year thereafter, this section does not apply to a township**
 25 **that has the township's budget and property tax levy reviewed and**
 26 **approved by the county fiscal body under section 20.2 of this**
 27 **chapter.**

28 (b) This section applies to a taxing unit other than a county. Except
 29 as provided in section 3.7 of this chapter, if a taxing unit will impose
 30 property taxes due and payable in the ensuing calendar year, the taxing
 31 unit shall file the following information in the manner prescribed by the
 32 department of local government finance with the fiscal body of the
 33 county in which the taxing unit is located:

- 34 (1) A statement of the proposed or estimated tax rate and tax levy
 35 for the taxing unit for the ensuing budget year.
 36 (2) In the case of a taxing unit other than a school corporation, a
 37 copy of the taxing unit's proposed budget for the ensuing budget
 38 year.

39 (c) In the case of a taxing unit located in more than one (1) county,
 40 the taxing unit shall file the information under subsection (b) with the
 41 fiscal body of the county in which the greatest part of the taxing unit's
 42 net assessed valuation is located.



1 (d) A taxing unit must file the information under subsection (b)
2 before September 2 of a year.

3 (e) A county fiscal body shall complete the following in a manner
4 prescribed by the department of local government finance before
5 October 2 of a year:

6 (1) Review any proposed or estimated tax rate or tax levy filed by
7 a taxing unit with the county fiscal body under this section.

8 (2) In the case of a taxing unit other than a school corporation,
9 review any proposed or estimated budget filed by a taxing unit
10 with the county fiscal body under this section.

11 (3) In the case of a taxing unit other than a school corporation,
12 issue a nonbinding recommendation to a taxing unit regarding the
13 taxing unit's proposed or estimated tax rate or tax levy or
14 proposed budget.

15 (f) The recommendation under subsection (e) must include a
16 comparison of any increase in the taxing unit's budget or tax levy to:

17 (1) the average increase in Indiana nonfarm personal income for
18 the preceding six (6) calendar years and the average increase in
19 nonfarm personal income for the county for the preceding six (6)
20 calendar years; and

21 (2) increases in the budgets and tax levies of other taxing units in
22 the county.

23 (g) The department of local government finance must provide each
24 county fiscal body with the most recent available information
25 concerning increases in Indiana nonfarm personal income and
26 increases in county nonfarm personal income.

27 (h) If a taxing unit fails to file the information required by
28 subsection (b) with the fiscal body of the county in which the taxing
29 unit is located by the time prescribed in subsection (d), the most recent
30 annual appropriations and annual tax levy of that taxing unit are
31 continued for the ensuing budget year.

32 (i) If a county fiscal body fails to complete the requirements of
33 subsection (e) before the deadline in subsection (e) for any taxing unit
34 subject to this section, the most recent annual appropriations and
35 annual tax levy of the county are continued for the ensuing budget year.

36 SECTION 4. IC 6-1.1-17-5, AS AMENDED BY P.L.119-2012,
37 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2014]: Sec. 5. (a) The officers of political subdivisions shall
39 meet each year to fix the budget, tax rate, and tax levy of their
40 respective subdivisions for the ensuing budget year as follows:

41 (1) The board of school trustees of a school corporation that is
42 located in a city having a population of more than one hundred



1 thousand (100,000) but less than one hundred ten thousand
 2 (110,000), not later than:

3 (A) the time required in section 5.6(b) of this chapter; or

4 (B) November 1 if a resolution adopted under section 5.6(d) of
 5 this chapter is in effect.

6 (2) The proper officers of all other political subdivisions that are
 7 not school corporations, not later than November 1.

8 (3) The governing body of a school corporation (other than a
 9 school corporation described in subdivision (1)) that elects to
 10 adopt a budget under section 5.6 of this chapter for budget years
 11 beginning after June 30, 2011, not later than the time required
 12 under section 5.6(b) of this chapter for budget years beginning
 13 after June 30, 2011.

14 (4) The governing body of a school corporation that is not
 15 described in subdivision (1) or (3), not later than November 1.

16 Except in a consolidated city and county and in a second class city, the
 17 public hearing required by section 3 of this chapter must be completed
 18 at least ten (10) days before the proper officers of the political
 19 subdivision meet to fix the budget, tax rate, and tax levy. In a
 20 consolidated city and county and in a second class city, that public
 21 hearing, by any committee or by the entire fiscal body, may be held at
 22 any time after introduction of the budget. **Beginning with budgets**
 23 **adopted for 2019 and for budgets adopted for each year thereafter,**
 24 **in a county not having a consolidated city, the county fiscal body**
 25 **shall review and approve the budget, tax rate, and tax levy for the**
 26 **township under section 20.2 of this chapter.**

27 (b) Ten (10) or more taxpayers may object to a budget, tax rate, or
 28 tax levy of a political subdivision fixed under subsection (a) by filing
 29 an objection petition with the proper officers of the political
 30 subdivision not more than seven (7) days after the hearing. The
 31 objection petition must specifically identify the provisions of the
 32 budget, tax rate, and tax levy to which the taxpayers object.

33 (c) If a petition is filed under subsection (b), the fiscal body of the
 34 political subdivision shall adopt with its budget a finding concerning
 35 the objections in the petition and any testimony presented at the
 36 adoption hearing.

37 (d) This subsection does not apply to a school corporation. Each
 38 year at least two (2) days before the first meeting of the county board
 39 of tax adjustment held under IC 6-1.1-29-4, a political subdivision shall
 40 file with the county auditor:

41 (1) a statement of the tax rate and levy fixed by the political
 42 subdivision for the ensuing budget year;



1 (2) two (2) copies of the budget adopted by the political
2 subdivision for the ensuing budget year; and

3 (3) two (2) copies of any findings adopted under subsection (c).

4 Each year the county auditor shall present these items to the county
5 board of tax adjustment at the board's first meeting under
6 IC 6-1.1-29-4.

7 (e) In a consolidated city and county and in a second class city, the
8 clerk of the fiscal body shall, notwithstanding subsection (d), file the
9 adopted budget and tax ordinances with the county board of tax
10 adjustment within two (2) days after the ordinances are signed by the
11 executive, or within two (2) days after action is taken by the fiscal body
12 to override a veto of the ordinances, whichever is later.

13 (f) If a fiscal body does not fix the budget, tax rate, and tax levy of
14 the political subdivisions for the ensuing budget year as required under
15 this section, the most recent annual appropriations and annual tax levy
16 are continued for the ensuing budget year.

17 SECTION 5. IC 6-1.1-17-20.2 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2014]: **Sec. 20.2. (a) This section applies only**
20 **in a county not having a consolidated city.**

21 **(b) This section applies only to township budgets and property**
22 **tax levies for 2019 and thereafter.**

23 **(c) After a township legislative body has adopted the township's**
24 **budget under IC 36-6-6-11, the township legislative body must**
25 **submit the township's budget and property tax levies to the county**
26 **fiscal body of the county in which the township is located. The**
27 **township shall submit the budget, tax rate, and tax levy in the**
28 **manner prescribed by the department. The county fiscal body shall**
29 **review the township's budget and property tax levies and adopt a**
30 **final budget and final property tax levies for the township. The**
31 **county fiscal body may reduce or modify but not increase the**
32 **township's budget and property tax levies.**

33 **(d) The county shall hold the public hearing on its review of the**
34 **budgets and tax levies of the township. The county shall give notice**
35 **of the hearing as follows:**

36 **(1) The county shall publish notice under IC 5-3-1.**

37 **(2) The county shall provide notice by mail to the township**
38 **trustee and each member of the township legislative body. The**
39 **hearing date must be at least ten (10) days after the date the**
40 **notice is mailed.**

41 SECTION 6. IC 6-1.1-18-5, AS AMENDED BY P.L.137-2012,
42 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2014]: Sec. 5. (a) If the proper officers of a political
2 subdivision desire to appropriate more money for a particular year than
3 the amount prescribed in the budget for that year as finally determined
4 under this article, they shall give notice of their proposed additional
5 appropriation. The notice shall state the time and place at which a
6 public hearing will be held on the proposal. The notice shall be given
7 once in accordance with IC 5-3-1-2(b).

8 (b) If the additional appropriation by the political subdivision is
9 made from a fund that receives:

10 (1) distributions from the motor vehicle highway account
11 established under IC 8-14-1-1 or the local road and street account
12 established under IC 8-14-2-4; or

13 (2) revenue from property taxes levied under IC 6-1.1;

14 the political subdivision must report the additional appropriation to the
15 department of local government finance. If the additional appropriation
16 is made from a fund described under this subsection, subsections (f),
17 (g), (h), and (i) apply to the political subdivision.

18 (c) However, if the additional appropriation is not made from a fund
19 described under subsection (b), subsections (f), (g), (h), and (i) do not
20 apply to the political subdivision. Subsections (f), (g), (h), and (i) do
21 not apply to an additional appropriation made from the cumulative
22 bridge fund if the appropriation meets the requirements under
23 IC 8-16-3-3(c).

24 (d) A political subdivision may make an additional appropriation
25 without approval of the department of local government finance if the
26 additional appropriation is made from a fund that is not described
27 under subsection (b). However, the fiscal officer of the political
28 subdivision shall report the additional appropriation to the department
29 of local government finance.

30 (e) After the public hearing, the proper officers of the political
31 subdivision shall file a certified copy of their final proposal and any
32 other relevant information to the department of local government
33 finance.

34 (f) When the department of local government finance receives a
35 certified copy of a proposal for an additional appropriation under
36 subsection (e), the department shall determine whether sufficient funds
37 are available or will be available for the proposal. The determination
38 shall be made in writing and sent to the political subdivision not more
39 than fifteen (15) days after the department of local government finance
40 receives the proposal.

41 (g) In making the determination under subsection (f), the
42 department of local government finance shall limit the amount of the



1 additional appropriation to revenues available, or to be made available,
2 which have not been previously appropriated.

3 (h) If the department of local government finance disapproves an
4 additional appropriation under subsection (f), the department shall
5 specify the reason for its disapproval on the determination sent to the
6 political subdivision.

7 (i) A political subdivision may request a reconsideration of a
8 determination of the department of local government finance under this
9 section by filing a written request for reconsideration. A request for
10 reconsideration must:

11 (1) be filed with the department of local government finance
12 within fifteen (15) days of the receipt of the determination by the
13 political subdivision; and

14 (2) state with reasonable specificity the reason for the request.

15 The department of local government finance must act on a request for
16 reconsideration within fifteen (15) days of receiving the request.

17 (j) This subsection applies to an additional appropriation by a
18 political subdivision that must have the political subdivision's annual
19 appropriations and annual tax levy adopted by a city, town, or county
20 fiscal body under IC 6-1.1-17-20 or by a legislative or fiscal body under
21 IC 36-3-6-9. The fiscal or legislative body of the city, town, or county
22 that adopted the political subdivision's annual appropriation and annual
23 tax levy must adopt the additional appropriation by ordinance before
24 the department of local government finance may approve the additional
25 appropriation.

26 (k) This subsection applies to a public library that:

27 (1) is required to submit the public library's budgets, tax rates, and
28 tax levies for nonbinding review under IC 6-1.1-17-3.5; and

29 (2) is not required to submit the public library's budgets, tax rates,
30 and tax levies for binding review and approval under
31 IC 6-1.1-17-20.

32 If a public library subject to this subsection proposes to make an
33 additional appropriation for a year, and the additional appropriation
34 would result in the budget for the library for that year increasing (as
35 compared to the previous year) by a percentage that is greater than the
36 result of the assessed value growth quotient determined under
37 IC 6-1.1-18.5-2 for the calendar year minus one (1), the additional
38 appropriation must first be approved by the city, town, or county fiscal
39 body described in IC 6-1.1-17-20.3(c) or IC 6-1.1-17-20(d), as
40 appropriate.

41 **(l) This subsection applies only in a county not having a**
42 **consolidated city. In addition to any other requirements under this**



1 section, an additional appropriation after December 31, 2018, by
 2 a township must be reviewed and approved by the county fiscal
 3 body under the procedures of IC 6-1.1-17-20.2.

4 SECTION 7. IC 6-1.1-30-18 IS ADDED TO THE INDIANA CODE
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2014]: Sec. 18. (a) The department of local government finance
 7 annually shall prepare a report that includes the following
 8 information for each township for the preceding calendar year:

9 (1) The population of the township.

10 (2) The budget, property tax levies, and property tax rates
 11 adopted by the township board and approved by the
 12 department.

13 (3) The assessed valuation in the township used to determine
 14 property taxes first due and payable in the preceding calendar
 15 year.

16 (4) The balance in each township fund as of the end of the
 17 preceding calendar year.

18 (5) A summary of the township assistance information
 19 submitted by the township trustee under IC 12-20-28-3.

20 (6) A summary of any statutory compliance issues or
 21 exceptions noted by the state board of accounts in its
 22 examination report for the township for the preceding
 23 calendar year.

24 (7) A description of any interlocal agreements in effect
 25 concerning the township's functions and duties.

26 (8) A description of any resolutions or petitions concerning
 27 the township that were adopted or submitted under IC 36-1.5
 28 (government modernization) during the preceding calendar
 29 year.

30 (9) A description of the property owned or leased by the
 31 township.

32 (b) To the extent that the information required by subsection (a)
 33 has not been previously submitted to the department, a township
 34 shall submit the information to the department in an electronic
 35 format prescribed by the state board of accounts on a schedule
 36 established by the state board of accounts.

37 (c) The department shall make the information in subsection (a)
 38 available electronically through the electronic gateway under
 39 IC 4-13.1-2-2 not later than July 1 of each year. The department
 40 shall make:

41 (1) the first report under this section available electronically
 42 not later than July 1, 2015; and



1 **(2) the last report under this section available electronically**
 2 **not later than July 1, 2018.**
 3 **(d) This section expires January 1, 2019.**
 4 SECTION 8. IC 12-7-2-140.5, AS AMENDED BY P.L.3-2008,
 5 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 140.5. "Plan", for purposes of:
 7 **(1) IC 12-15-44.2, has the meaning set forth in IC 12-15-44.2-1;**
 8 **and**
 9 **(2) IC 12-20, means a township assistance plan prepared**
 10 **under IC 12-20-1.6.**
 11 SECTION 9. IC 12-20-1.6 IS ADDED TO THE INDIANA CODE
 12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2014]:
 14 **Chapter 1.6. Township Assistance Standards and Service Plan**
 15 **Sec. 1. This chapter applies only in a county that does not have**
 16 **a consolidated city.**
 17 **Sec. 2. As used in this chapter, "board" means the transition**
 18 **board established under IC 36-6-1.8.**
 19 **Sec. 3. As used in this chapter, "consolidated township" means**
 20 **the township that is established in a county under IC 36-6-1.7.**
 21 **Sec. 4. As used in this chapter, "plan" means a township**
 22 **assistance plan prepared by a board under this chapter.**
 23 **Sec. 5. As used in this chapter, "standards" means uniform**
 24 **township assistance standards prepared by a board under this**
 25 **chapter.**
 26 **Sec. 6. The board has the duty and responsibility to do the**
 27 **following:**
 28 **(1) Adopt:**
 29 **(A) standards for the consolidated township under section**
 30 **7 of this chapter; and**
 31 **(B) a plan for the consolidated township under section 8 of**
 32 **this chapter;**
 33 **The standards and plan must apply to the provision of**
 34 **township assistance services in the consolidated township**
 35 **after December 31, 2018.**
 36 **(2) Prepare and submit to the county fiscal body under section**
 37 **10 of this chapter a township assistance budget for the**
 38 **consolidated township for calendar year 2019.**
 39 **Sec. 7. (a) Not later than January 1, 2018, a board shall adopt a**
 40 **resolution approving uniform standards for the consolidated**
 41 **township that meet or exceed the requirements of this article.**
 42 **(b) If a board fails to adopt standards within the time specified**



1 in subsection (a), the department of local government finance shall
2 adopt standards for the consolidated township not later than July
3 1, 2018.

4 Sec. 8. (a) Not later than July 1, 2018, the board shall adopt a
5 resolution approving a plan for the delivery of township assistance
6 services throughout the consolidated township in a manner that is
7 consistent with the standards adopted by the board.

8 (b) In preparing the plan, the board shall make the following
9 determinations:

10 (1) Whether the consolidated township will:

11 (A) provide township assistance services by means of its
12 own workforce; or

13 (B) contract with a service provider to provide some or all
14 township assistance services.

15 (2) Office hours, locations, and staffing levels.

16 Sec. 9. If a board fails to adopt a plan within the time specified
17 in section 7 of this chapter, the department of local government
18 finance shall adopt a plan for the consolidated township not later
19 than December 31, 2018.

20 Sec. 10. (a) In 2018, the board (not the township boards of the
21 townships in the county) shall prepare and submit to the county
22 fiscal body a township assistance budget for the consolidated
23 township for calendar year 2019. The budget shall be reviewed and
24 approved by the county fiscal body under the procedures of
25 IC 6-1.1-17-20.2.

26 (b) The department of local government finance shall review the
27 budget for the consolidated township for calendar year 2019. If the
28 budget spends more than the combined budgets of the existing
29 townships for 2018, the department of local government finance
30 may reduce and modify but not increase the budget of the
31 consolidated township.

32 SECTION 10. IC 12-20-4-3, AS AMENDED BY P.L.73-2005,
33 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2014]: Sec. 3. (a) The township trustee shall determine the
35 number of township assistance supervisors, investigators, assistants, or
36 other necessary employees that are employed by the township to
37 administer township assistance. **After December 31, 2018, in a county
38 not having a consolidated city, the township trustee shall determine
39 the number of necessary employees to be employed by the township
40 in accordance with the plan and subject to the approval of the
41 county fiscal body.**

42 (b) The pay of township assistance supervisors, investigators,



1 assistants, and other necessary employees shall be fixed by the
 2 township trustee subject only to the total budgetary appropriation for
 3 personnel services for the administration of township assistance
 4 approved by the township board, **or (after December 31, 2018) in a**
 5 **county not having a consolidated city, subject to the approval of**
 6 **the county fiscal body.**

7 (c) A township assistance supervisor, investigator, assistant, or other
 8 necessary employee who uses an automobile in the performance of the
 9 employee's work is entitled to the same mileage paid to state officers
 10 and employees.

11 SECTION 11. IC 12-20-4-5, AS AMENDED BY P.L.73-2005,
 12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2014]: Sec. 5. (a) The number of supervisors of township
 14 assistance investigators may not exceed one (1) supervisor for the first
 15 four (4) township assistance investigators. If there are more than four
 16 (4) township assistance investigators, the township trustee may employ
 17 one (1) additional supervisor for each twelve (12) township assistance
 18 investigators or major fraction of that number. **After December 31,**
 19 **2018, in a county not having a consolidated city, the township**
 20 **trustee shall employ supervisors in accordance with the township**
 21 **plan and as approved by the township board and county fiscal**
 22 **body.**

23 (b) The pay for supervisors of township assistance investigators
 24 shall be fixed in the manner provided by law for other township
 25 salaries.

26 SECTION 12. IC 12-20-4-7, AS AMENDED BY P.L.73-2005,
 27 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2014]: Sec. 7. (a) Two (2) or more townships ~~in the same~~
 29 ~~county~~ may jointly employ an investigator to investigate township
 30 assistance applicants and recipients.

31 (b) Payment for investigations conducted under this section shall be
 32 made on the basis of the number of cases handled for each township in
 33 the same manner and at the same rate as otherwise provided for the
 34 payment of investigators under this chapter.

35 SECTION 13. IC 12-20-5.5-2, AS AMENDED BY P.L.73-2005,
 36 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2014]: Sec. 2. (a) Standards for the administration of township
 38 assistance must ~~contain~~ **establish at a minimum** the following:

- 39 (1) Criteria for determining township assistance eligibility.
- 40 (2) Minimum requirements of township trustee accessibility.
- 41 (3) Other information as needed, including the following:
 - 42 (A) Township office locations, hours, and days of availability.



- 1 (B) Initial eligibility criteria.
- 2 (C) Continuing eligibility criteria.
- 3 (D) Workfare requirements.
- 4 (E) Essential and nonessential assets.
- 5 (F) Available resources.
- 6 (G) Income exemptions.
- 7 (H) Application process.
- 8 (I) Countable income.
- 9 (J) Countable assets.
- 10 (K) Wasted resources.
- 11 (b) Standards for the administration of township assistance must
- 12 exclude a Holocaust victim's settlement payment received by an
- 13 eligible individual from countable assets and countable income.
- 14 SECTION 14. IC 36-1.5-4-1, AS ADDED BY P.L.186-2006,
- 15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2014]: Sec. 1. (a) Any of the following may reorganize under
- 17 this chapter:
- 18 (1) Two (2) or more counties. A county reorganizing under this
- 19 subdivision must be adjacent to at least one (1) other county
- 20 participating in the reorganization.
- 21 (2) **This subdivision applies only to a county having a**
- 22 **consolidated city.** Two (2) or more townships located entirely
- 23 within the same county. A township reorganizing under this
- 24 subdivision must be adjacent to at least one (1) other township
- 25 participating in the reorganization.
- 26 (3) Two (2) or more municipalities. A municipality reorganizing
- 27 under this subdivision must be adjacent to at least one (1) other
- 28 municipality participating in the reorganization.
- 29 (4) Two (2) or more school corporations. A school corporation
- 30 reorganizing under this subdivision must be adjacent to at least
- 31 one (1) other school corporation participating in the
- 32 reorganization.
- 33 (5) Two (2) or more municipal corporations, other than a unit or
- 34 a school corporation, that have substantially equivalent powers.
- 35 A municipal corporation reorganizing under this subdivision must
- 36 be adjacent to at least one (1) other municipal corporation
- 37 participating in the reorganization.
- 38 (6) Two (2) or more special taxing districts that are adjacent to at
- 39 least one (1) other special taxing district participating in the
- 40 reorganization.
- 41 (7) A township and a municipality that is located in any part of
- 42 the same township.



- 1 (8) A county and one (1) or more townships that are located in the
- 2 county.
- 3 (9) A municipality and a county that does not contain a
- 4 consolidated city.
- 5 (10) A school corporation and a county or municipality in which
- 6 a majority of the students of the school corporation have legal
- 7 settlement (as defined by IC 20-18-2-11).
- 8 (11) A municipal corporation, other than a unit or a school
- 9 corporation, and a county or municipality in which a majority of
- 10 the population of the municipal corporation resides.
- 11 (b) If a political subdivision reorganizes under this article with one
- 12 (1) or more other political subdivisions:
- 13 (1) any political subdivisions that did not participate in the public
- 14 question on the reorganization are not reorganized under this
- 15 article;
- 16 (2) the reorganization affects only those political subdivisions in
- 17 which the reorganization is approved as specified in this article;
- 18 and
- 19 (3) the reorganization does not affect the rights, powers, and
- 20 duties of any political subdivisions in the county in which the
- 21 reorganization is not approved as specified in this article.
- 22 SECTION 15. IC 36-6-1 IS REPEALED [EFFECTIVE JULY 1,
- 23 2014]. (Division of County Into Townships).
- 24 SECTION 16. IC 36-6-1.5 IS REPEALED [EFFECTIVE JULY 1,
- 25 2014]. (Merger of Township Governments).
- 26 SECTION 17. IC 36-6-1.6 IS REPEALED [EFFECTIVE JULY 1,
- 27 2014]. (Dissolution of Township Government Merger).
- 28 SECTION 18. IC 36-6-1.7 IS ADDED TO THE INDIANA CODE
- 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2014]:
- 31 **Chapter 1.7. Consolidation of Townships and Transfer of**
- 32 **Property**
- 33 **Sec. 1. This chapter does not apply to townships in a county**
- 34 **having a consolidated city.**
- 35 **Sec. 2. As used in this chapter, "consolidated township" means**
- 36 **the township that is established in a county under this chapter.**
- 37 **Sec. 3. As used in this chapter, "former township" means a**
- 38 **township that exists on December 31, 2018.**
- 39 **Sec. 4. On January 1, 2019, all the following occur:**
- 40 **(1) All former townships in each county are eliminated as**
- 41 **separate entities.**
- 42 **(2) A consolidated township is established in each county. The**



- 1 territory of the consolidated township consists of all territory
2 within the county.
- 3 **(3) The township boards of the former townships are
4 eliminated, and a single township board is established for each
5 consolidated township. Except as otherwise provided, the
6 township board of the consolidated township shall exercise the
7 legislative and fiscal powers and duties assigned in the
8 Indiana Code or the Indiana Administrative Code to the
9 township board.**
- 10 **(4) The office of township trustee of each of the former
11 townships in a county is eliminated, and the office of the
12 township trustee is established for each consolidated
13 township. The township trustee of the consolidated township
14 shall exercise the executive powers and duties assigned in the
15 Indiana Code or the Indiana Administrative Code to the
16 township executive.**
- 17 **(5) The consolidated township's:**
- 18 **(A) annual budget;**
- 19 **(B) levy of township property taxes for township funds;**
- 20 **and**
- 21 **(C) other additional appropriations;**
- 22 **are subject to review and approval by the county fiscal body
23 under IC 6-1.1-17-20.2.**
- 24 **Sec. 5. (a) The powers, duties, and responsibilities of a former
25 township that is a participating unit in a fire protection territory
26 as of January 1, 2019, related to the fire protection territory are
27 transferred to the consolidated township. The consolidated
28 township assumes all assets, debts, property rights, equipment,
29 records, personnel, and contracts related to the former township's
30 participation as a participating unit in the fire protection territory.**
- 31 **(b) This chapter does not affect the rights, powers, and
32 responsibilities of a fire protection district in existence as of
33 January 1, 2019.**
- 34 **Sec. 6. Except as otherwise provided by law, on January 1, 2019,
35 all:**
- 36 **(1) assets;**
- 37 **(2) debts;**
- 38 **(3) property rights;**
- 39 **(4) equipment;**
- 40 **(5) records;**
- 41 **(6) personnel (except as otherwise provided for by statute);**
- 42 **and**



1 (7) contracts;
2 connected with the fire protection and related operations of each
3 former township in the county before January 1, 2019, are
4 transferred to the consolidated township.

5 Sec. 7. Beginning on January 1, 2019, the following occur:

6 (1) The powers, duties, and responsibilities of each former
7 township in the county with respect to providing fire
8 protection and emergency services are transferred to the
9 consolidated township and shall be governed by and subject
10 to a township fire protection and emergency services plan
11 adopted under IC 36-8-13.6.

12 (2) The powers, duties, and responsibilities of each former
13 township in the county with respect to providing township
14 assistance are transferred to the consolidated township and
15 shall be governed by and subject to the township assistance
16 plan adopted under IC 12-20-1.6.

17 (3) Any reference in the Indiana Code, the Indiana
18 Administrative Code, a contract, or any resolution to:

19 (A) the township board or township legislative body of a
20 township in a county not having a consolidated city shall be
21 considered a reference to the township board of the
22 consolidated township;

23 (B) the township trustee or township executive of a
24 township in a county not having a consolidated city shall be
25 considered a reference to the township trustee of the
26 consolidated township; and

27 (C) a township in a county not having a consolidated city,
28 unless the language of the statute, rule, contract, or
29 resolution expressly states otherwise, shall be considered
30 a reference to the consolidated township.

31 Sec. 8. On January 1, 2019, the following occur:

32 (1) The resolutions, rules, bylaws, fees, schedules,
33 appointments, or other actions of each former township
34 adopted or taken before January 1, 2019:

35 (A) remain in force within the geographical boundaries of
36 the former township to which they applied before January
37 1, 2019; and

38 (B) continue in force until amended or repealed by the
39 township board, township trustee, or administrative body
40 of the consolidated township having the authority to
41 amend or repeal the resolutions, rules, bylaws, fees,
42 schedules, appointments, or other actions.



1 (2) Pending actions that involve any former township shall be
 2 prosecuted to final judgment and execution, and judgments
 3 rendered in those actions may be executed and enforced
 4 against the consolidated township without any change of the
 5 name of the plaintiff or defendant.

6 **Sec. 9. On January 1, 2019, all:**

- 7 (1) assets;
 8 (2) debts;
 9 (3) property rights;
 10 (4) equipment;
 11 (5) records;
 12 (6) personnel; and
 13 (7) contracts;

14 connected with the operations of a former township are
 15 transferred to the consolidated township established within the
 16 county.

17 **Sec. 10. (a) On January 1, 2019, the following occur:**

18 (1) The balance in the general fund of a former township shall
 19 be transferred to the general fund of the consolidated
 20 township.

21 (2) The balance in the township assistance fund of a former
 22 township shall be transferred to the township firefighting
 23 fund of the consolidated township established under
 24 IC 36-8-13-4.

25 (3) The balance in the cumulative building and equipment
 26 fund of a township in the county shall be transferred to the
 27 cumulative building and equipment fund of the consolidated
 28 township established under IC 36-8-14-2.

29 (4) The balance of any other fund of the former township shall
 30 be transferred to the fund of the consolidated township that
 31 most closely corresponds to the fund of the former township
 32 government.

33 (b) IC 36-1-8-5 does not apply to a balance referred to in
 34 subsection (a).

35 **Sec. 11. Beginning January 1, 2019, and notwithstanding any**
 36 **other law to the contrary, any revenue from a local income tax for**
 37 **public safety under IC 6-3.5-1.1-25 or IC 6-3.5-6-31 that the former**
 38 **township would otherwise receive shall instead be paid to the**
 39 **consolidated township.**

40 **Sec. 12. (a) If, as of December 31, 2018, a former township**
 41 **government has a local board for the 1937 firefighters' pension**
 42 **fund or the 1977 police officers' and firefighters' pension and**



1 disability fund, that local board is dissolved on January 1, 2019,
 2 and the powers, duties, and responsibilities of the local board
 3 under IC 36-8-7 or IC 36-8-8, respectively, are assumed by the
 4 consolidated township's local board for the 1937 firefighters'
 5 pension fund and local board for the 1977 police officers' and
 6 firefighters' pension and disability fund, respectively.

7 (b) The consolidated township shall levy taxes (within the
 8 consolidated township's maximum permissible ad valorem
 9 property tax levy limit) as necessary to provide for the payment of
 10 pension benefits:

- 11 (1) to members of the 1937 firefighters' pension fund; and
- 12 (2) for which, before the transfer of fire protection
 13 responsibilities to the consolidated townships under this
 14 chapter (effective January 1, 2019), the local board of a
 15 former township in the county was responsible.

16 However, the tax may be levied only by the consolidated township
 17 within the geographic boundaries of the former township that was
 18 responsible for the pension benefits.

19 (c) The consolidated township shall levy taxes (within the
 20 consolidated township's maximum permissible ad valorem
 21 property tax levy limit) as necessary to provide for the payment of
 22 pension benefits:

- 23 (1) to members of the 1977 police officers' and firefighters'
 24 pension and disability fund; and
- 25 (2) for which, before the transfer of fire protection
 26 responsibilities to the consolidated townships under this
 27 chapter (effective January 1, 2019), the local board of a
 28 former township in the county was responsible.

29 However, the tax may be levied only by the consolidated township
 30 within the geographic boundaries of the former township that was
 31 responsible for the pension benefits.

32 Sec. 13. (a) Beginning on January 1, 2019, the consolidated
 33 township shall assume, defuse, pay, or refund all former township
 34 indebtedness or lease rental obligations related to a power or duty
 35 transferred to the consolidated township. The consolidated
 36 township may levy property taxes to pay township indebtedness or
 37 lease rental obligations incurred by a former township only in the
 38 geographic area of the former township that originally issued the
 39 debt or entered into the lease rental agreement. The territory of the
 40 former township comprises a taxing district for the payment of
 41 township indebtedness or lease rental obligations existing at the
 42 time of the abolition of the former township. Once the indebtedness



1 or obligation is paid, the taxing district is abolished.

2 (b) Notwithstanding any other law, to assume, defease, pay, or
3 refund all or a part of the indebtedness or lease rental obligations
4 described in subsection (a), the former township is not required to
5 comply with any other statutory procedures or approvals that
6 apply when a unit incurs indebtedness or lease rental obligations.

7 (c) The rights of a trustee, bondholder, or leaseholder with
8 respect to any:

9 (1) indebtedness or lease rental obligations described in
10 subsection (a); or

11 (2) bond resolution, trust agreement or indenture, security
12 agreement, purchase agreement, or other undertaking with
13 respect to indebtedness described in subsection (a);

14 remain the same, although the powers, duties, agreements, and
15 liabilities of the former townships have been transferred to the
16 consolidated township, and the consolidated township is considered
17 to have assumed all those powers, duties, agreements, and
18 liabilities.

19 Sec. 14. The department of local government finance shall set
20 the consolidated township's maximum permissible property tax
21 levy for taxes first due and payable in 2019 (excluding any
22 property taxes described in sections 15 and 16 of this chapter) at an
23 amount equal to:

24 (1) the total amount of property taxes levied by all former
25 townships in the county for property taxes first due and
26 payable in 2018; multiplied by

27 (2) the assessed value growth quotient determined under
28 IC 6-1.1-18.5-2 for 2019.

29 Sec. 15. For property taxes due in 2019, and for each year
30 thereafter, a uniform tax rate shall be levied throughout the
31 consolidated township that is sufficient to meet the estimated cost
32 of township assistance in the consolidated township. The taxes
33 collected as a result of the tax rate shall be credited to a township
34 assistance fund established for the consolidated township.

35 Sec. 16. (a) For property taxes due in 2019 and thereafter, a tax
36 may be levied for the township firefighting fund on all taxable real
37 and personal property in the consolidated township that is outside
38 the corporate boundaries of municipalities. Subject to the levy
39 limitations under IC 6-1.1-18.5, the levy must be in an amount
40 sufficient to pay all costs attributable to fire protection and
41 emergency services that are not paid from other revenues available
42 to the fund. The tax rate and levy must be established in



1 accordance with the procedures set forth in IC 6-1.1-17.

2 (b) The department of local government finance shall set the
3 maximum permissible firefighting levy of a consolidated township
4 for ad valorem property taxes first due and payable in 2019 at an
5 amount equal to:

6 (1) the total amount of property taxes levied for the
7 firefighting funds of all former townships in the county for
8 property taxes first due and payable in 2018; multiplied by

9 (2) the assessed value growth quotient determined under
10 IC 6-1.1-18.5-2 for 2019.

11 Sec. 17. The department of local government finance shall
12 adjust maximum permissible property tax levies and property tax
13 rates of units of local government as necessary to account for
14 transfers of duties, powers, and obligations to the consolidated
15 township.

16 Sec. 18. Notwithstanding any other law, the terms of a trustee
17 or township board member of a former township expire January
18 1, 2019.

19 Sec. 19. Beginning with the general election in November 2018
20 and every four (4) years thereafter, the following shall be elected
21 for each consolidated township under IC 3-10-2-13 by the voters of
22 the election district of the consolidated township:

23 (1) A township trustee.

24 (2) A three (3) member township board, elected at large.

25 The boundaries of the election district of a consolidated township
26 are coterminus with the geographical boundaries of the county
27 within which the township is located.

28 Sec. 20. (a) This chapter does not affect the rights, powers, and
29 responsibilities of a township assessor of a former township elected
30 under IC 3-10-2-13. The election district for the township assessor
31 must be coterminus with the geographical boundaries of the
32 former township. The township assessor shall be elected only by
33 the voters of the consolidated township that reside within the
34 geographical boundaries of the former township. The township
35 assessor forfeits office if the township assessor ceases to reside
36 within the geographical boundaries of the former township.

37 (b) The township assessor shall continue to perform the
38 township assessor's property assessment duties only within the
39 geographical boundaries of the former township after December
40 31, 2018.

41 SECTION 19. IC 36-6-1.8 IS ADDED TO THE INDIANA CODE
42 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2014];

2 **Chapter 1.8. Transition Board**

3 **Sec. 1. This chapter does not apply in a county having a**
4 **consolidated city.**

5 **Sec. 2. As used in this chapter, "board" means the transition**
6 **board established under section 3 of this chapter.**

7 **Sec. 3. (a) On July 1, 2016, a transition board is established in**
8 **each county. The members of the board are the trustees of all the**
9 **townships in the county.**

10 **(b) One (1) member of the county executive of the county,**
11 **selected by the county executive, shall serve as chairperson.**

12 **Sec. 4. (a) An affirmative vote of a majority of the voting**
13 **members present is required for the board to take action. The**
14 **chairperson may vote on matters before the board only in order to**
15 **break a tie.**

16 **(b) The board shall meet at the call of the chairperson.**

17 **Sec. 5. On or before January 1, 2017, the board shall meet at**
18 **least every other month to effectuate the proper transition after**
19 **December 31, 2018, of the duties, obligations, and responsibilities**
20 **of the former townships to the consolidated township, including the**
21 **following:**

22 **(1) The duties and responsibilities of the former townships**
23 **regarding cemeteries, high weeds and grass, detrimental**
24 **plants, and parks.**

25 **(2) The duties and responsibilities of the former townships**
26 **regarding the provision of township assistance, including the**
27 **preparation of uniform township assistance standards and a**
28 **plan for delivery of township assistance services under**
29 **IC 12-20-1.6.**

30 **(3) The duties and responsibilities regarding the provision of**
31 **fire and emergency services, including the preparation of a**
32 **fire protection and emergency services plan for the**
33 **consolidated township under IC 36-8-13.6.**

34 **(4) Preparing the consolidated township's proposed budget**
35 **for 2019 and submitting the budget to the county fiscal body**
36 **for the review and approval.**

37 **Sec. 6. The board shall determine the name of the consolidated**
38 **township.**

39 **Sec. 7. The board is a public agency for purposes of IC 5-14-1.5**
40 **and IC 5-14-3.**

41 **SECTION 20. IC 36-6-5-1, AS AMENDED BY P.L.1-2009,**
42 **SECTION 164, IS AMENDED TO READ AS FOLLOWS**



1 [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Subject to subsection ~~(g)~~; **(f)**,
 2 before 2009, a township assessor shall be elected under IC 3-10-2-13
 3 by the voters of each township:

4 (1) having:

5 (A) a population of more than eight thousand (8,000); or

6 (B) an elected township assessor or the authority to elect a
 7 township assessor before January 1, 1979; and

8 (2) in which the number of parcels of real property on January 1,
 9 2008, is at least fifteen thousand (15,000).

10 (b) Subject to subsection ~~(g)~~; **(f)**, before 2009, a township assessor
 11 shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in
 12 each township:

13 (1) having a population of more than five thousand (5,000) but
 14 not more than eight thousand (8,000), if:

15 (A) the legislative body of the township, by resolution,
 16 declares that the office of township assessor is necessary; and

17 (B) the resolution is filed with the county election board not
 18 later than the first date that a declaration of candidacy may be
 19 filed under IC 3-8-2; and

20 (2) in which the number of parcels of real property on January 1,
 21 2008, is at least fifteen thousand (15,000).

22 ~~(c)~~ Subject to subsection ~~(g)~~; a township government that is created
 23 by merger under IC 36-6-1.5 shall elect only one ~~(1)~~ township assessor
 24 under this section:

25 ~~(d)~~ **(c)** Subject to subsection ~~(g)~~; **(f)**, after 2008 a township assessor
 26 shall be elected under IC 3-10-2-13 only by the voters of each township
 27 in which:

28 (1) the number of parcels of real property on January 1, 2008, is
 29 at least fifteen thousand (15,000); and

30 (2) the transfer to the county assessor of the assessment duties
 31 prescribed by IC 6-1.1 is disapproved in the referendum under
 32 IC 36-2-15.

33 ~~(e)~~ **(d)** The township assessor must reside within the township as
 34 provided in Article 6, Section 6 of the Constitution of the State of
 35 Indiana. The assessor forfeits office if the assessor ceases to be a
 36 resident of the township. **Beginning with the general election in**
 37 **November 2018, a township assessor must also meet the residency**
 38 **requirements of IC 36-6-1.7-20.**

39 ~~(f)~~ **(e)** The term of office of a township assessor is four (4) years,
 40 beginning January 1 after election and continuing until a successor is
 41 elected and qualified. However, the term of office of a township
 42 assessor elected at a general election in which no other township



1 officer is elected ends on December 31 after the next election in which
2 any other township officer is elected.

3 ~~(g)~~ **(f)** A person who runs for the office of township assessor in an
4 election after June 30, 2008, is subject to IC 3-8-1-23.6.

5 ~~(h)~~ **(g)** After June 30, 2008, the county assessor shall perform the
6 assessment duties prescribed by IC 6-1.1 in a township in which the
7 number of parcels of real property on January 1, 2008, is less than
8 fifteen thousand (15,000).

9 SECTION 21. IC 36-6-6-2, AS AMENDED BY P.L.266-2013,
10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2014]: Sec. 2. (a) Except as provided in subsection (b), ~~and~~
12 ~~section 2.1 of this chapter~~, a three (3) member township board shall be
13 elected under IC 3-10-2-13 by the voters of each township.

14 (b) The township board in a county containing a consolidated city
15 shall consist of the following:

16 (1) Before January 1, 2017, seven (7) members elected under
17 IC 3-10-2-13 by the voters of each township.

18 (2) After December 31, 2016, five (5) members elected under
19 IC 3-10-2-13 by the voters of each township.

20 (c) The township board is the township legislative body.

21 (d) The term of office of a township board member is four (4) years,
22 beginning January 1 after election and continuing until a successor is
23 elected and qualified.

24 SECTION 22. IC 36-6-6-2.1 IS REPEALED [EFFECTIVE JULY
25 1, 2014]. Sec. 2.1: (a) ~~This section applies if township governments~~
26 ~~merge under IC 36-6-1.5.~~

27 ~~(b) If two (2) township governments merge, the resulting merged~~
28 ~~township government shall elect a three (3) member township board.~~
29 ~~The voters of the resulting merged township government shall elect all~~
30 ~~the members of the township board. One (1) member must reside~~
31 ~~within the boundaries of each of the township governments that~~
32 ~~merged.~~

33 ~~(c) If at least three (3) township governments merge, the resulting~~
34 ~~merged township government shall elect a township board that has the~~
35 ~~same number of members as the number of township governments that~~
36 ~~merged. The voters of the resulting merged township shall elect all the~~
37 ~~members of the township board. One (1) township board member must~~
38 ~~reside within the boundaries of each of the townships that merged.~~

39 SECTION 23. IC 36-6-6-3, AS AMENDED BY P.L.240-2005,
40 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2014]: Sec. 3. (a) This subsection applies to townships in a
42 county containing a consolidated city. One (1) member of the



1 legislative body must reside within each legislative body district. If a
 2 member of the legislative body ceases to be a resident of the district
 3 from which the member was elected, the office becomes vacant.

4 (b) This subsection applies to townships not included in subsection
 5 (a). ~~or (c)~~: A member of the legislative body must reside within the
 6 township as provided in Article 6, Section 6 of the Constitution of the
 7 State of Indiana. If a member of the legislative body ceases to be a
 8 resident of the township, the office becomes vacant.

9 ~~(c) This subsection applies to a township government that:~~

10 ~~(1) is created by a merger of township governments under~~
 11 ~~IC 36-6-1.5; and~~

12 ~~(2) elects a township board under section 2-1 of this chapter.~~

13 ~~One (1) member of the legislative body must reside within the~~
 14 ~~boundaries of each of the former townships that merged. If a member~~
 15 ~~of the legislative body ceases to be a resident of that former township,~~
 16 ~~the office becomes vacant.~~

17 SECTION 24. IC 36-6-6-4, AS AMENDED BY P.L.266-2013,
 18 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2014]: Sec. 4. (a) Except as provided in ~~subsections (b) and~~
 20 ~~(c)~~, **subsection (b)**, two (2) members of the legislative body constitute
 21 a quorum.

22 (b) Before January 1, 2017, four (4) members of the legislative body
 23 in a county containing a consolidated city constitute a quorum. After
 24 December 31, 2016, three (3) members of the legislative body in a
 25 county having a consolidated city constitute a quorum.

26 ~~(c) This subsection applies to a township government that:~~

27 ~~(1) is created by a merger of township governments under~~
 28 ~~IC 36-6-1.5; and~~

29 ~~(2) elects a township board under section 2-1 of this chapter.~~

30 ~~A majority of the members of the legislative body constitute a quorum.~~
 31 ~~If a township board has an even number of members, the township~~
 32 ~~executive shall serve as an ex officio member of the township board for~~
 33 ~~the purpose of casting the deciding vote to break a tie.~~

34 SECTION 25. IC 36-6-6-11 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) The legislative
 36 body shall meet annually in accord with IC 6-1.1-17, to adopt the
 37 township's annual budget.

38 (b) The legislative body shall consider the estimates of expenditures
 39 made by the executive under IC 36-6-4-11, and may approve or reject
 40 all or part of any estimate or any item within an estimate. The
 41 legislative body may require the executive to further itemize an
 42 estimate not sufficiently itemized.



1 (c) The legislative body may not appropriate for any purpose an
 2 amount more than the executive's estimate of the amount required for
 3 that purpose.

4 (d) The legislative body shall include in the budget:

5 (1) provisions for the payment of existing debt of the township as
 6 it becomes due; and

7 (2) the salaries fixed under section 10 of this chapter.

8 (e) In making levies for the township general fund, the legislative
 9 body may include an amount not more than the amount necessary to
 10 compensate its members for their services during the year for which the
 11 levies are made.

12 (f) After the legislative body has taken action on the executive's
 13 estimates, it shall levy taxes for the township funds on property in the
 14 township and fix rates of taxation sufficient to provide that revenue
 15 during the next year.

16 (g) On the assessment date, as defined by IC 6-1.1-1-2, the rates of
 17 taxation adopted under this section become a levy and a lien on all
 18 taxable property in the township, including property in municipalities
 19 in the township. The levy constitutes an appropriation for the specific
 20 items in the executive's estimates.

21 **(h) This subsection does not apply in a county having a**
 22 **consolidated city. In addition to any other requirements, the**
 23 **budget and property tax levies for 2019 and thereafter of a**
 24 **township must be reviewed and approved by the county fiscal body**
 25 **as provided in IC 6-1.1-17-20.2.**

26 SECTION 26. IC 36-6-6-16 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2014]: **Sec. 16. (a) This section applies after December 31, 2018.**
 29 **This section applies only to a township in a county not having a**
 30 **consolidated city.**

31 **(b) Except as provided in subsection (c) and section 17 of this**
 32 **chapter, a township legislative body may allow a claim:**

33 **(1) only at a meeting of the township legislative body; and**

34 **(2) only if the claim was filed in the manner prescribed by**
 35 **IC 5-11-10-2 at least five (5) days before the meeting.**

36 **(c) The township trustee may pay township assistance claims**
 37 **under IC 12-20 in advance of township legislative body allowance**
 38 **without written approval of the township legislative body under**
 39 **section 17 of this chapter. The township legislative body shall**
 40 **review and allow the claim at its next regular or special meeting**
 41 **following the preapproved payment of the claim.**

42 SECTION 27. IC 36-6-6-17 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2014]: **Sec. 17. (a) This section applies after December 31, 2018.**
3 **This section applies only to a township in a county not having a**
4 **consolidated city.**

5 (b) A township legislative body may adopt a resolution allowing
6 money to be disbursed for lawful township purposes under this
7 section.

8 (c) Notwithstanding IC 5-11-10, with the prior written approval
9 of the township legislative body, the township trustee may make
10 claim payments in advance of township legislative body allowance
11 for the following kinds of expenses if the township legislative body
12 has adopted a resolution under subsection (b):

13 (1) Property or services purchased or leased from the United
14 States government, its agencies, or its political subdivisions.

15 (2) License or permit fees.

16 (3) Insurance premiums.

17 (4) Utility payments or utility connection charges.

18 (5) General grant programs where advance funding is not
19 prohibited and the contracting party posts sufficient security
20 to cover the amount advanced.

21 (6) Grants of state funds authorized by statute.

22 (7) Maintenance or service agreements.

23 (8) Leases or rental agreements.

24 (9) Bond or coupon payments.

25 (10) Payroll.

26 (11) State, federal, or county taxes.

27 (12) Expenses that must be paid because of emergency
28 circumstances.

29 (13) Expenses described in a resolution.

30 (d) Each payment of expenses under this section must be
31 supported by a fully itemized invoice or bill and certification by the
32 township trustee.

33 (e) The township legislative body shall review and allow the
34 claim at its next regular or special meeting following the
35 preapproved payment of the expense.

36 SECTION 28. IC 36-8-7-1, AS AMENDED BY P.L.227-2005,
37 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2014]: **Sec. 1. (a) This chapter applies to pension benefits for**
39 **members of fire departments hired before May 1, 1977, in units for**
40 **which a 1937 fund was established before May 1, 1977.**

41 (b) A firefighter with twenty (20) years of service is covered by this
42 chapter and not by IC 36-8-8 if the firefighter:



- 1 (1) was hired before May 1, 1977;
 2 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
 3 1981); and
 4 (3) is rehired after April 30, 1977, by the same employer.
- 5 (c) A firefighter is covered by this chapter and not by IC 36-8-8 if
 6 the firefighter:
 7 (1) was hired before May 1, 1977;
 8 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
 9 1981);
 10 (3) was rehired after April 30, 1977, but before February 1, 1979;
 11 and
 12 (4) was made, before February 1, 1979, a member of a 1937 fund.
- 13 (d) A firefighter who:
 14 (1) is covered by this chapter before a consolidation under
 15 IC 36-3-1-6.1; and
 16 (2) becomes a member of a fire department of a consolidated city
 17 under IC 36-3-1-6.1;
 18 is covered by this chapter after the effective date of the consolidation,
 19 and the firefighter's service as a member of a fire department of a
 20 consolidated city is considered active service under this chapter.
- 21 (e) A firefighter who:
 22 (1) as of December 31, 2018, is a member of the 1937 fund as
 23 a firefighter with a township fire department, fire protection
 24 territory, or fire protection district within a township; and
 25 (2) after the transfer of fire protection responsibilities to
 26 consolidated townships under IC 36-6-1.7 (effective January
 27 1, 2019) becomes a member of a consolidated township fire
 28 department or a fire protection territory or fire protection
 29 district within the consolidated township;
 30 is covered by this chapter after the firefighter becomes a member
 31 of the consolidated township fire department, and the firefighter's
 32 service as a member of a township fire department, fire protection
 33 territory, or fire protection district that was covered under this
 34 chapter before January 1, 2019, is considered active service under
 35 this chapter.
- 36 SECTION 29. IC 36-8-8-1, AS AMENDED BY P.L.119-2012,
 37 SECTION 218, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2014]: Sec. 1. This chapter applies to:
 39 (1) full-time police officers hired or rehired after April 30, 1977,
 40 in all municipalities, or who converted their benefits under
 41 IC 19-1-17.8-7 (repealed September 1, 1981);
 42 (2) full-time fully paid firefighters hired or rehired after April 30,



- 1 1977, or who converted their benefits under IC 19-1-36.5-7
 2 (repealed September 1, 1981);
 3 (3) a police matron hired or rehired after April 30, 1977, and
 4 before July 1, 1996, who is a member of a police department in a
 5 second or third class city on March 31, 1996;
 6 (4) a park ranger who:
 7 (A) completed at least the number of weeks of training at the
 8 Indiana law enforcement academy or a comparable law
 9 enforcement academy in another state that were required at the
 10 time the park ranger attended the Indiana law enforcement
 11 academy or the law enforcement academy in another state;
 12 (B) graduated from the Indiana law enforcement academy or
 13 a comparable law enforcement academy in another state; and
 14 (C) is employed by the parks department of a city having a
 15 population of more than one hundred ten thousand (110,000)
 16 but less than one hundred fifty thousand (150,000);
 17 (5) a full-time fully paid firefighter who is covered by this chapter
 18 before the effective date of consolidation and becomes a member
 19 of the fire department of a consolidated city under IC 36-3-1-6.1,
 20 provided that the firefighter's service as a member of the fire
 21 department of a consolidated city is considered active service
 22 under this chapter;
 23 (6) except as otherwise provided, a full-time fully paid firefighter
 24 who is hired or rehired after the effective date of the consolidation
 25 by a consolidated fire department established under
 26 IC 36-3-1-6.1;
 27 (7) a full-time police officer who is covered by this chapter before
 28 the effective date of consolidation and becomes a member of the
 29 consolidated law enforcement department as part of the
 30 consolidation under IC 36-3-1-5.1, provided that the officer's
 31 service as a member of the consolidated law enforcement
 32 department is considered active service under this chapter; ~~and~~
 33 (8) except as otherwise provided, a full-time police officer who is
 34 hired or rehired after the effective date of the consolidation by a
 35 consolidated law enforcement department established under
 36 IC 36-3-1-5.1; **and**
 37 **(9) a full-time, fully paid firefighter who:**
 38 **(A) as of December 31, 2018, is a member of the 1977 fund**
 39 **as a firefighter with a township fire department, fire**
 40 **protection territory, or fire protection district within a**
 41 **county; and**
 42 **(B) after the transfer of fire protection responsibilities to**



1 **consolidated townships under IC 36-6-1.7 (effective**
 2 **January 1, 2019) becomes a member of a consolidated**
 3 **township fire department or a fire protection territory or**
 4 **fire protection district within the consolidated township;**
 5 except as provided by section 7 of this chapter.

6 SECTION 30. IC 36-8-8-2.1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.1. (a) As used in this
 8 chapter, "local board" means the following:

9 (1) For a unit that established a 1925 fund for its police officers,
 10 the local board described in IC 36-8-6-2.

11 (2) **Except as provided in subdivision (3)**, for a unit that
 12 established a 1937 fund for its firefighters, the local board
 13 described in IC 36-8-7-3.

14 **(3) This subdivision does not apply to a township in a county**
 15 **having a consolidated city. For a township that established a**
 16 **1937 fund for its firefighters, "local board", after December**
 17 **31, 2018, means the local board of the consolidated township.**

18 ~~(4)~~ (4) For a consolidated city that established a 1953 fund for its
 19 police officers, the local board described in IC 36-8-7.5-2.

20 ~~(5)~~ (5) For a unit, other than a consolidated city, that did not
 21 establish a 1925 fund for its police officers or a 1937 fund for its
 22 firefighters, the local board described in subsection (b) or (c).

23 (b) If a unit did not establish a 1925 fund for its police officers, a
 24 local board shall be composed in the same manner described in
 25 IC 36-8-6-2(b). However, if there is not a retired member of the
 26 department, no one shall be appointed to that position until such time
 27 as there is a retired member.

28 (c) If a unit did not establish a 1937 fund for its firefighters, a local
 29 board shall be composed in the same manner described in
 30 IC 36-8-7-3(b). However, if there is not a retired member of the
 31 department, no one shall be appointed to that position until such time
 32 as there is a retired member.

33 SECTION 31. IC 36-8-8-7, AS AMENDED BY P.L.117-2013,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2014]: Sec. 7. (a) Except as provided in subsections (d), (e),
 36 (f), (g), (h), (k), (l), ~~and (m)~~, **and (n)**:

37 (1) a police officer; or

38 (2) a firefighter;

39 who is less than thirty-six (36) years of age and who passes the baseline
 40 statewide physical and mental examinations required under section 19
 41 of this chapter shall be a member of the 1977 fund and is not a member
 42 of the 1925 fund, the 1937 fund, or the 1953 fund.



1 (b) A police officer or firefighter with service before May 1, 1977,
 2 who is hired or rehired after April 30, 1977, may receive credit under
 3 this chapter for service as a police officer or firefighter prior to entry
 4 into the 1977 fund if the employer who rehires the police officer or
 5 firefighter chooses to contribute to the 1977 fund the amount necessary
 6 to amortize the police officer's or firefighter's prior service liability over
 7 a period of not more than forty (40) years, the amount and the period
 8 to be determined by the system board. If the employer chooses to make
 9 the contributions, the police officer or firefighter is entitled to receive
 10 credit for the police officer's or firefighter's prior years of service
 11 without making contributions to the 1977 fund for that prior service. In
 12 no event may a police officer or firefighter receive credit for prior years
 13 of service if the police officer or firefighter is receiving a benefit or is
 14 entitled to receive a benefit in the future from any other public pension
 15 plan with respect to the prior years of service.

16 (c) Except as provided in section 18 of this chapter, a police officer
 17 or firefighter is entitled to credit for all years of service after April 30,
 18 1977, with the police or fire department of an employer covered by this
 19 chapter.

20 (d) A police officer or firefighter with twenty (20) years of service
 21 does not become a member of the 1977 fund and is not covered by this
 22 chapter, if the police officer or firefighter:

- 23 (1) was hired before May 1, 1977;
- 24 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both
- 25 of which were repealed September 1, 1981); and
- 26 (3) is rehired after April 30, 1977, by the same employer.

27 (e) A police officer or firefighter does not become a member of the
 28 1977 fund and is not covered by this chapter if the police officer or
 29 firefighter:

- 30 (1) was hired before May 1, 1977;
- 31 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both
- 32 of which were repealed September 1, 1981);
- 33 (3) was rehired after April 30, 1977, but before February 1, 1979;
- 34 and
- 35 (4) was made, before February 1, 1979, a member of a 1925,
- 36 1937, or 1953 fund.

37 (f) A police officer or firefighter does not become a member of the
 38 1977 fund and is not covered by this chapter if the police officer or
 39 firefighter:

- 40 (1) was hired by the police or fire department of a unit before May
- 41 1, 1977;
- 42 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both



- 1 of which were repealed September 1, 1981);
 2 (3) is rehired by the police or fire department of another unit after
 3 December 31, 1981; and
 4 (4) is made, by the fiscal body of the other unit after December
 5 31, 1981, a member of a 1925, 1937, or 1953 fund of the other
 6 unit.
- 7 If the police officer or firefighter is made a member of a 1925, 1937, or
 8 1953 fund, the police officer or firefighter is entitled to receive credit
 9 for all the police officer's or firefighter's years of service, including
 10 years before January 1, 1982.
- 11 (g) As used in this subsection, "emergency medical services" and
 12 "emergency medical technician" have the meanings set forth in
 13 IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:
 14 (1) is employed by a unit that is participating in the 1977 fund;
 15 (2) was employed as an emergency medical technician by a
 16 political subdivision wholly or partially within the department's
 17 jurisdiction;
 18 (3) was a member of the public employees' retirement fund during
 19 the employment described in subdivision (2); and
 20 (4) ceased employment with the political subdivision and was
 21 hired by the unit's fire department due to the reorganization of
 22 emergency medical services within the department's jurisdiction;
 23 shall participate in the 1977 fund. A firefighter who participates in the
 24 1977 fund under this subsection is subject to sections 18 and 21 of this
 25 chapter.
- 26 (h) A police officer or firefighter does not become a member of the
 27 1977 fund and is not covered by this chapter if the individual was
 28 appointed as:
 29 (1) a fire chief under a waiver under IC 36-8-4-6(c); or
 30 (2) a police chief under a waiver under IC 36-8-4-6.5(c);
 31 unless the executive of the unit requests that the 1977 fund accept the
 32 individual in the 1977 fund and the individual previously was a
 33 member of the 1977 fund.
- 34 (i) A police matron hired or rehired after April 30, 1977, and before
 35 July 1, 1996, who is a member of a police department in a second or
 36 third class city on March 31, 1996, is a member of the 1977 fund.
- 37 (j) A park ranger who:
 38 (1) completed at least the number of weeks of training at the
 39 Indiana law enforcement academy or a comparable law
 40 enforcement academy in another state that were required at the
 41 time the park ranger attended the Indiana law enforcement
 42 academy or the law enforcement academy in another state;



1 (2) graduated from the Indiana law enforcement academy or a
2 comparable law enforcement academy in another state; and

3 (3) is employed by the parks department of a city having a
4 population of more than one hundred ten thousand (110,000) but
5 less than one hundred fifty thousand (150,000);

6 is a member of the fund.

7 (k) Notwithstanding any other provision of this chapter, a police
8 officer or firefighter:

9 (1) who is a member of the 1977 fund before a consolidation
10 under IC 36-3-1-5.1 or IC 36-3-1-6.1;

11 (2) whose employer is consolidated into the consolidated law
12 enforcement department or the fire department of a consolidated
13 city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and

14 (3) who, after the consolidation, becomes an employee of the
15 consolidated law enforcement department or the consolidated fire
16 department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

17 is a member of the 1977 fund without meeting the requirements under
18 sections 19 and 21 of this chapter.

19 (l) Notwithstanding any other provision of this chapter, if:

20 (1) before a consolidation under IC 8-22-3-11.6, a police officer
21 or firefighter provides law enforcement services or fire protection
22 services for an entity in a consolidated city;

23 (2) the provision of those services is consolidated into the law
24 enforcement department or fire department of a consolidated city;
25 and

26 (3) after the consolidation, the police officer or firefighter
27 becomes an employee of the consolidated law enforcement
28 department or the consolidated fire department under
29 IC 8-22-3-11.6;

30 the police officer or firefighter is a member of the 1977 fund without
31 meeting the requirements under sections 19 and 21 of this chapter.

32 **(m) Notwithstanding any other provision of this chapter, a**
33 **firefighter who:**

34 **(1) as of December 31, 2018, is a member of the 1977 fund as**
35 **a firefighter with a township fire department, fire protection**
36 **territory, or fire protection district within a county; and**

37 **(2) after the transfer of fire protection responsibilities to**
38 **counties under IC 36-6-1.7 (effective January 1, 2019)**
39 **becomes a member of the consolidated township fire**
40 **department or a fire protection territory or fire protection**
41 **district within the consolidated township;**

42 **is a member of the 1977 fund without meeting the requirements**



1 **under sections 19 and 21 of this chapter. A firefighter described in**
 2 **this subsection is entitled to receive credit for all years of service as**
 3 **a member of the 1977 fund before becoming a member of the**
 4 **consolidated township fire department.**

5 ~~(m)~~ **(n)** A police officer or firefighter who is a member of the 1977
 6 fund under subsection (k), ~~or~~ (l), **or (m):**

7 **(1)** may not be:

8 ~~(1)~~ **(A)** retired for purposes of section 10 of this chapter; or

9 ~~(2)~~ **(B)** disabled for purposes of section 12 of this chapter; **and**

10 **(2) shall receive credit for all years of service as a member of**
 11 **the 1977 fund before the consolidation described in subsection**
 12 **(k), (l), or (m);**

13 solely because of a change in employer under the consolidation.

14 ~~(n)~~ **(o)** Notwithstanding any other provision of this chapter and
 15 subject to subsection ~~(o)~~, **(p)**, a police officer or firefighter who:

16 (1) is an active member of the 1977 fund with an employer that
 17 participates in the 1977 fund;

18 (2) separates from that employer; and

19 (3) not later than one hundred eighty (180) days after the date of
 20 the separation described in subdivision (2), becomes employed as
 21 a full-time police officer or firefighter with a second employer
 22 that participates in the 1977 fund;

23 is a member of the 1977 fund without meeting for a second time the
 24 age limitation under subsection (a) and the requirements under sections
 25 19 and 21 of this chapter. A police officer or firefighter to whom this
 26 subsection applies is entitled to receive credit for all years of 1977 fund
 27 covered service as a police officer or firefighter with all employers that
 28 participate in the 1977 fund.

29 ~~(o)~~ **(p)** The one hundred eighty (180) day limitation described in
 30 subsection ~~(n)~~~~(3)~~ **(o)****(3)** does not apply to a member of the 1977 fund
 31 who is eligible for reinstatement under IC 36-8-4-11.

32 SECTION 32. IC 36-8-11-4 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A county
 34 legislative body may establish fire protection districts for any of the
 35 following purposes:

36 (1) Fire protection, including the capability for extinguishing all
 37 fires that might be reasonably expected because of the types of
 38 improvements, personal property, and real property within the
 39 boundaries of the district.

40 (2) Fire prevention, including identification and elimination of all
 41 potential and actual sources of fire hazard.

42 (3) Other purposes or functions related to fire protection and fire



1 prevention.

2 (b) Any area may be established as a fire protection district, but one
3 (1) part of a district may not be completely separate from another part.
4 A municipality may be included in a district, but only if it consents by
5 ordinance, unless a majority of the freeholders of the municipality have
6 petitioned to be included in the district.

7 (c) Except as provided in subsection (d), the territory of a district
8 may consist of:

9 (1) one (1) or more townships and parts of one (1) or more
10 townships in the same county; or

11 (2) all of the townships in the same county.

12 The boundaries of a district need not coincide with those of other
13 political subdivisions.

14 (d) The territory of a district may consist of a municipality that is
15 located in more than one (1) county.

16 **(e) The transfer of fire protection responsibilities to a**
17 **consolidated township under IC 36-6-1.7 (effective January 1,**
18 **2019) does not terminate a fire protection district in existence**
19 **under this chapter as of January 1, 2019. On January 1, 2019, a**
20 **consolidated township shall assume any powers, duties, rights, and**
21 **obligations under this chapter of each township in the county**
22 **participating in a district.**

23 SECTION 33. IC 36-8-12-1 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Except as
25 provided in section 10 of this chapter, this chapter applies to all units
26 except counties.

27 **(b) On January 1, 2019, a consolidated township shall assume**
28 **the powers, duties, rights, and obligations under this chapter of**
29 **each township in the county that was eliminated under IC 36-6-1.7.**

30 SECTION 34. IC 36-8-12.2-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. As used in this
32 chapter, "fire department" means a fire department that:

33 (1) is established under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), ~~or~~
34 **IC 36-8-13.6;** and

35 (2) employs:

36 (A) both full-time paid members and volunteer members; or

37 (B) only full-time paid members.

38 SECTION 35. IC 36-8-12.2-8 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) Money collected
40 under this chapter must be deposited in one (1) of the following:

41 (1) The general fund of the unit that established the fire
42 department under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), ~~or~~



1 **IC 36-8-13.6.**
 2 (2) A hazardous materials response fund established under section
 3 8.1 of this chapter by a city or town having a fire department
 4 established under IC 36-8-2-3.

5 (b) Money collected under this chapter may be used only for the
 6 following:

7 (1) Purchase of supplies and equipment used in providing
 8 hazardous materials emergency assistance under this chapter.

9 (2) Training for members of the fire department in skills
 10 necessary for providing hazardous materials emergency assistance
 11 under this chapter.

12 (3) Payment to persons with which the fire department contracts
 13 to provide services related to the hazardous materials emergency
 14 assistance provided by the fire department under this chapter.

15 SECTION 36. IC 36-8-13-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Each township
 17 shall annually establish a township firefighting fund which is to be the
 18 exclusive fund used by the township for the payment of costs
 19 attributable to providing fire protection or emergency services under
 20 the methods prescribed in section 3 of this chapter and for no other
 21 purposes. The money in the fund may be paid out by the township
 22 executive with the consent of the township legislative body.

23 (b) Each township may levy, for each year, a tax for the township
 24 firefighting fund. Other than a township providing fire protection or
 25 emergency services or both to municipalities in the township under
 26 section 3(b) or 3(c) of this chapter, the tax levy is on all taxable real
 27 and personal property in the township outside the corporate boundaries
 28 of municipalities. Subject to the levy limitations contained in
 29 IC 6-1.1-18.5, the township levy is to be in an amount sufficient to pay
 30 all costs attributable to fire protection and emergency services that are
 31 not paid from other revenues available to the fund. The tax rate and
 32 levy shall be established in accordance with the procedures set forth in
 33 IC 6-1.1-17.

34 (c) In addition to the tax levy and service charges received under
 35 IC 36-8-12-13 and IC 36-8-12-16, the executive may accept donations
 36 to the township for the purpose of firefighting and other emergency
 37 services and shall place them in the fund, keeping an accurate record
 38 of the sums received. A person may also donate partial payment of any
 39 purchase of firefighting or other emergency services equipment made
 40 by the township.

41 (d) If a fire department serving a township dispatches fire apparatus
 42 or personnel to a building or premises in the township in response to:



1 (1) an alarm caused by improper installation or improper
2 maintenance; or

3 (2) a drill or test, if the fire department is not previously notified
4 that the alarm is a drill or test;

5 the township may impose a fee or service charge upon the owner of the
6 property. However, if the owner of property that constitutes the owner's
7 residence establishes that the alarm is under a maintenance contract
8 with an alarm company and that the alarm company has been notified
9 of the improper installation or maintenance of the alarm, the alarm
10 company is liable for the payment of the fee or service charge.

11 (e) The amount of a fee or service charge imposed under subsection
12 (d) shall be determined by the township legislative body. All money
13 received by the township from the fee or service charge must be
14 deposited in the township's firefighting fund.

15 **(f) This subsection does not apply to a county having a**
16 **consolidated city. On January 1, 2019, a township firefighting fund**
17 **is established for each consolidated township (as defined in**
18 **IC 36-6-1.7).**

19 SECTION 37. IC 36-8-13.6 IS ADDED TO THE INDIANA CODE
20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2014]:

22 **Chapter 13.6. Township Fire Protection and Emergency**
23 **Services Plan**

24 **Sec. 1. This chapter does not apply to a township in a county**
25 **having a consolidated city.**

26 **Sec. 2. As used in this chapter, "consolidated township" means**
27 **the township that is established in each county under IC 36-6-1.7.**

28 **Sec. 3. As used in this chapter, "former township" means a**
29 **township in existence on December 31, 2018.**

30 **Sec. 4. As used in this chapter, "plan" means a fire protection**
31 **and emergency services plan for a consolidated township under**
32 **this chapter.**

33 **Sec. 5. Beginning January 1, 2019, a consolidated township shall**
34 **provide for fire protection and emergency services in the**
35 **unincorporated areas of a consolidated township in any manner**
36 **permitted by statute and specified in the plan prepared and**
37 **approved under this chapter. In carrying out fire protection and**
38 **emergency services responsibilities, the township trustee shall, as**
39 **permitted by statute and provided in the plan, administer fire**
40 **protection and emergency services in the unincorporated areas of**
41 **the township through any combination of:**

42 (1) operating a consolidated township fire department;



- 1 (2) contracting with or otherwise cooperating with any
 2 municipality, county, fire protection district, volunteer fire
 3 department, fire protection territory, or other entity; or
 4 (3) entering into mutual aid agreements.

5 **Sec. 6. A plan prepared and approved under this chapter must**
 6 **include the following:**

7 (1) A comprehensive plan providing for fire protection,
 8 emergency medical services, and hazardous materials
 9 response in the unincorporated areas of the county in an
 10 efficient and cost effective manner. The plan must describe
 11 the facilities, equipment, and personnel that will be used to
 12 provide fire protection and emergency services in the
 13 unincorporated areas of the county.

14 (2) A description of the standards of service and protocols for
 15 fire protection and emergency service.

16 (3) A plan specifying the transition of fire protection and
 17 emergency services from township fire departments of the
 18 former townships and other providers of fire protection and
 19 emergency services to fire protection and emergency services
 20 in the unincorporated areas of the county administered by the
 21 consolidated township.

22 (4) A description of:

23 (A) the organization of the consolidated township fire
 24 department; and

25 (B) any residency requirements that will apply to members
 26 of the consolidated township fire department.

27 (5) A description of any fire protection districts, fire
 28 protection territories, volunteer fire departments, or other
 29 units of government that will be established or used to provide
 30 fire protection service or with which the consolidated
 31 township will contract or otherwise enter into an agreement
 32 for fire protection and emergency services.

33 **Sec. 7. (a) The board established under IC 36-6-1.7 shall prepare**
 34 **and submit a plan on or before July 1, 2017, that accomplishes the**
 35 **purposes set forth in this chapter to the county legislative body for**
 36 **review and approval.**

37 (b) Except as provided in subsection (c), after a county
 38 legislative body receives a plan submitted under subsection (a), the
 39 county legislative body shall review the plan during at least two (2)
 40 public meetings at which the public and any interested parties shall
 41 have the opportunity to comment on the plan.

42 (c) If a board does not prepare and submit a plan to the county



1 legislative body on or before July 1, 2017, the county legislative
 2 body shall instead prepare the proposed plan. The public meeting
 3 and comment provisions of subsection (b) apply to a plan prepared
 4 under this subsection.

5 **Sec. 8. (a) A county legislative body shall, not later than January**
 6 **1, 2018, adopt an ordinance finally approving:**

7 (1) the plan as submitted by the board under section 7(a) of
 8 this chapter or as proposed by the county legislative body
 9 under section 7(c) of this chapter; or

10 (2) the plan as subsequently amended by the county legislative
 11 body after the plan is submitted by the board under section
 12 7(a) of this chapter or proposed by the county legislative body
 13 under section 7(c) of this chapter; or

14 (b) If a county legislative body does not adopt an ordinance
 15 finally approving a plan under subsection (a) on or before January
 16 1, 2018, the division of fire and building safety established by
 17 IC 10-19-7-1 shall instead adopt the plan for that consolidated
 18 township not later than July 1, 2018.

19 **Sec. 9. The township legislative body of a consolidated township**
 20 **may periodically amend the ordinance setting forth the plan,**
 21 **subject to the approval of the county legislative body.**

22 SECTION 38. IC 36-8-14-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) As used in this
 24 section, "emergency medical services" has the meaning set forth in
 25 IC 16-18-2-110.

26 (b) As used in this section, "volunteer fire department" has the
 27 meaning set forth in IC 36-8-12-2.

28 (c) The legislative body of a unit or the board of fire trustees of a
 29 fire protection district may provide a cumulative building and
 30 equipment fund under IC 6-1.1-41 for the following purposes:

31 (1) The:

32 (A) purchase, construction, renovation, or addition to
 33 buildings; or

34 (B) purchase of land;

35 used by the fire department or a volunteer fire department serving
 36 the unit.

37 (2) The purchase of firefighting equipment for use of the fire
 38 department or a volunteer fire department serving the unit,
 39 including making the required payments under a lease rental with
 40 option to purchase agreement made to acquire the equipment.

41 (3) In a municipality, the purchase of police radio equipment.

42 (4) The:



- 1 (A) purchase, construction, renovation, or addition to a
 2 building;
 3 (B) purchase of land; or
 4 (C) purchase of equipment;
 5 for use of a provider of emergency medical services under
 6 IC 16-31-5 to the unit establishing the fund.
- 7 (d) In addition to the requirements of IC 6-1.1-41, before a
 8 cumulative fund may be established by a township fire protection
 9 district, the county legislative body which appoints the trustees of the
 10 fire protection district must approve the establishment of the fund.
- 11 **(e) This subsection does not apply to a county having a
 12 consolidated city. The following apply on January 1, 2019:**
- 13 **(1) A cumulative building and equipment fund is established
 14 for each consolidated township. The adoption and approval
 15 provisions of IC 6-1.1-41 do not apply to the establishment of
 16 the fund under this subsection. The provisions of IC 6-1.1-41
 17 concerning the adoption of a tax levy apply to the fund.**
- 18 **(2) Each cumulative building and equipment fund established
 19 by a township in the county is abolished, and the balance in
 20 the township's cumulative building and equipment fund shall
 21 be transferred to the cumulative building and equipment fund
 22 established under subdivision (1).**
- 23 SECTION 39. IC 36-8-19-1.7 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2014]: **Sec. 1.7. (a) This section does not
 26 apply to townships in a county having a consolidated city.**
- 27 **(b) The following apply if a township is a participating unit in
 28 a fire protection territory as of January 1, 2019:**
- 29 **(1) Subject to subdivision (2), on January 1, 2019, the
 30 consolidated township (as defined in IC 36-6-1.7-2) shall
 31 assume the powers, duties, rights, responsibilities, and
 32 obligations under this chapter previously held by the township
 33 that was a participating unit.**
- 34 **(2) The township legislative body of the consolidated township
 35 (as defined in IC 36-6-1.7-2) may withdraw as otherwise
 36 provided in this chapter from the fire protection territory, as
 37 specified in the township fire protection and emergency
 38 services plan adopted under IC 36-8-13.6.**
- 39 **(3) The department of local government finance shall make
 40 any necessary adjustments to the maximum permissible ad
 41 valorem property tax levy for the county firefighting fund to
 42 account for any transfer of powers, duties, rights,**



1 **responsibilities, and obligations under this section.**
2 SECTION 40. [EFFECTIVE JULY 1, 2014] **(a) The legislative**
3 **services agency shall prepare legislation for introduction in the**
4 **2015 regular session of the general assembly to correct statutes**
5 **affected by this act.**
6 **(b) This SECTION expires July 1, 2016.**

