

HOUSE BILL No. 1312

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-3; IC 5-15-5.1-5; IC 6-1.1-28-0.7; IC 36-8-12.

Synopsis: Public notices. Requires the Indiana archives and records administration (administration) to establish a state public notice website not later than July 1, 2026. Prohibits the administration from charging a fee for publishing or viewing notices. Effective July 1, 2026, eliminates provisions regarding publication of notice on a political subdivision website. Allows a person to satisfy any notice statute by publishing notice in any of the following forms of media: (1) Newspaper, including print edition or electronic edition. (2) Locality newspaper, including print edition or electronic edition. (3) Political subdivision website (before July 1, 2026). (4) The state public notice website (after June 30, 2026). Eliminates provisions requiring: (1) a political subdivision to publish notice only in a newspaper or locality newspaper; or (2) a newspaper that has a website to publish notice both in the newspaper and on the website.

Effective: July 1, 2025.

Meltzer, Miller D, Zimmerman

January 13, 2025, read first time and referred to Committee on Government and Regulatory Reform.



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

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

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

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

HOUSE BILL No. 1312

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-3-1-0.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 0.8. As used in this chapter, "state public notice**
4 **website" means the website established under IC 5-3-1.6.**
5 SECTION 2. IC 5-3-1-0.9, AS ADDED BY P.L.122-2024,
6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2025]: Sec. 0.9. (a) This section applies to the publication of
8 notice of an event that meets both of the following requirements:
9 (1) Notice of the event is required by statute to be published two
10 (2) or more times.
11 (2) Notice is published:
12 (A) at least one (1) time before July 1, 2024; and
13 (B) at least one (1) time after June 30, 2024.
14 (b) Sections 0.2, 0.4, and 0.7 of this chapter (as in effect on June 30,
15 2024) continue to apply to any notices of the event that are published
16 after June 30, 2024, as if SEA 252-2024 had not been enacted.
17 (c) This section expires July 1, ~~2027~~. **2025.**



1 SECTION 3. IC 5-3-1-1, AS AMENDED BY P.L.84-2023,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 1. (a) The cost of all public notice advertising
4 which any elected or appointed public official or governmental agency
5 is required by law to have published, or orders published, for which the
6 compensation to the newspapers, locality newspapers, or qualified
7 publications publishing such advertising is drawn from and is the
8 ultimate obligation of the public treasury of the governmental unit
9 concerned with the advertising shall be charged to and collected from
10 the proper fund of the public treasury and paid over to the newspapers,
11 locality newspapers, or qualified publications publishing such
12 advertising, after proof of publication and claim for payment has been
13 filed.

14 (b) The basic charges for publishing public notice advertising shall
15 be by the line and shall be computed based on a square of two hundred
16 and fifty (250) ems at the following rates:

17 (1) Before January 1, 1996, three dollars and thirty cents (\$3.30)
18 per square for the first insertion in newspapers or qualified
19 publications plus one dollar and sixty-five cents (\$1.65) per
20 square for each additional insertion in newspapers, or qualified
21 publications.

22 (2) After December 31, 1995, and before December 31, 2005, a
23 newspaper or qualified publication may, effective January 1 of
24 any year, increase the basic charges by five percent (5%) more
25 than the basic charges that were in effect during the previous year.
26 However, the basic charges for the first insertion of a public
27 notice in a newspaper, or qualified publication may not exceed the
28 lowest classified advertising rate charged to advertisers by the
29 newspaper, or qualified publication for comparable use of the
30 same amount of space for other purposes.

31 (3) After December 31, 2009, and before January 1, 2017, a
32 newspaper or qualified publication may, effective January 1 of
33 any year, increase the basic charges by not more than two and
34 three-quarters percent (2.75%) more than the basic charges that
35 were in effect during the previous year. However, the basic
36 charges for the first insertion of a public notice in a newspaper or
37 qualified publication may not exceed the lowest classified
38 advertising rate charged to advertisers by the newspaper or
39 qualified publication for comparable use of the same amount of
40 space for other purposes and must include all multiple insertion
41 discounts extended to the newspaper's other advertisers.

42 (4) After December 31, 2016, a newspaper, locality newspaper,



1 or qualified publication may, effective January 1 of any year,
2 increase the basic charges by not more than two and
3 three-quarters percent (2.75%) more than the basic charges that
4 were in effect during the previous year. However, the basic
5 charges for the first insertion of a public notice in a newspaper,
6 locality newspaper, or qualified publication may not exceed the
7 lowest classified advertising rate charged to advertisers by the
8 newspaper, locality newspaper, or qualified publication for
9 comparable use of the same amount of space for other purposes
10 and must include all multiple insertion discounts extended to the
11 newspaper's, locality newspaper's, or qualified publication's other
12 advertisers.

13 An additional charge of fifty percent (50%) shall be allowed for the
14 publication of all public notice advertising containing rule or tabular
15 work.

16 (c) All public notice advertisements shall be set in solid type that is
17 at least 7 point type, without any leads or other devices for increasing
18 space. All public notice advertisements shall be headed by not more
19 than two (2) lines, neither of which shall total more than four (4) solid
20 lines of the type in which the body of the advertisement is set. Public
21 notice advertisements may be submitted by an appointed or elected
22 official or a governmental agency to a newspaper, locality newspaper,
23 or qualified publication in electronic form, if the newspaper, locality
24 newspaper, or qualified publication is equipped to accept information
25 in compatible electronic form.

26 (d) Each newspaper, locality newspaper, or qualified publication
27 publishing public notice advertising shall submit proof of publication
28 and claim for payment in duplicate on each public notice advertisement
29 published. For each additional proof of publication required by a public
30 official, a charge of one dollar (\$1) per copy shall be allowed each
31 newspaper, locality newspaper, or qualified publication furnishing
32 proof of publication.

33 (e) The circulation of a newspaper, locality newspaper, or qualified
34 publication is determined as follows:

35 (1) For a newspaper, by the circulation stated on line 10.C. (Total
36 Paid and/or Requested Circulation of Single Issue Published
37 Nearest to Filing Date) of the Statement of Ownership,
38 Management and Circulation required by 39 U.S.C. 3685 that was
39 filed during the previous year.

40 (2) For a locality newspaper, by a verified affidavit filed with each
41 agency, department, or office of the political subdivision that has
42 public notices the locality newspaper wants to publish. The



affidavit must:

(A) be filed with the agency, department, or office of the political subdivision before January 1 of each year; and

(B) attest to the circulation of the locality newspaper for the issue published nearest to October 1 of the previous year, as determined by an independent audit of the locality newspaper performed for the previous year.

(3) For a qualified publication, by a verified affidavit filed with each governmental agency that has public notices the qualified publication wants to publish. The affidavit must:

(A) be filed with the governmental agency before January 1 of each year; and

(B) attest to the circulation of the qualified publication for the issue published nearest to October 1 of the previous year.

(f) This subsection applies to a towing service acting as an agent of a governmental agency to facilitate the removal of abandoned vehicles or parts. A towing service shall be charged the basic rates charged for all public notice advertising in subsection (b)(4) for providing the notice required under IC 9-22-1-23.

(g) The basic charge for publication of a notice in an electronic edition of a newspaper or locality newspaper shall be the same as the basic charge for publication of the notice in the print edition.

(h) After June 30, 2026, the Indiana archives and records administration may not charge a fee to publish a notice on the state public notice website.

SECTION 4. IC 5-3-1-1.5, AS AMENDED BY P.L.146-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) This section applies to a notice that must be published in accordance with this chapter.

(b) If a newspaper or locality newspaper maintains a website, a notice that is published in the newspaper or locality newspaper must also be posted on the website of the newspaper or locality newspaper. The notice must appear on the website on the same day the notice appears in the newspaper or locality newspaper.

(c) The state board of accounts shall develop a standard form for notices posted on a newspaper's or locality newspaper's website.

(d) A newspaper or locality newspaper may not charge a fee for posting a notice on the newspaper's or locality newspaper's website under this section.

(b) Notwithstanding any express statutory requirement of publishing a notice in a specific form of media, a person satisfies the statutory requirement by publishing the notice in any of the



following media:

(1) Publication in any of the following forms of a newspaper:

(A) A print edition newspaper that is published in or circulates within the political subdivision specified in the statute.

(B) An electronic edition published by the newspaper described in clause (A).

(2) Publication in any of the following forms of a locality newspaper:

(A) A print edition locality newspaper that circulates within the political subdivision specified in the statute.

(B) An electronic edition published by the locality newspaper described in clause (A).

(3) Before July 1, 2026, on a political subdivision website under IC 5-3-5.

(4) After June 30, 2026, on the state public notice website.

(c) This section does not exempt a person from complying with any other statutory requirement, including deadlines for publication of notice and frequency of publication. However, notwithstanding any law that requires a public notice to be published on at least two (2) days and for a specified frequency, a notice published on the state public notice website shall be maintained on the state public notice website for the period as set forth in IC 5-3-1.6-4.

(d) A newspaper or locality newspaper may not:

(1) charge a person a fee for viewing or searching the newspaper's or locality newspaper's electronic edition for public notices; or

(2) require a person to register on the newspaper's or locality newspaper's website in order to view or search for public notices in the electronic edition.

(e) The basic charge for publication of a notice in an electronic edition of a newspaper or locality newspaper shall be the same as the basic charge for publication of the notice in the print edition in accordance with section 1 of this chapter.

SECTION 5. IC 5-3-1-1.6 IS REPEALED [EFFECTIVE JULY 1, 2025]. See: 1-6: (a) This section applies to a notice published by a political subdivision in a newspaper or locality newspaper under section 4 of this chapter.

(b) This subsection applies if a newspaper or locality newspaper publishes:

(1) a print edition not more than three (3) times a week; and



(2) an electronic edition:

A notice may be published in either the print edition or the electronic edition:

(c) This subsection applies if a newspaper or locality newspaper:

(1) publishes a print edition not more than two (2) times a week; and

(2) does not publish an electronic edition:

A notice may be published in either the print edition or on the website of the newspaper or locality newspaper. If the newspaper or locality newspaper does not maintain a website, a notice may be published in either the print edition or on the political subdivision's official website (as defined in IC 5-3-5-2) in accordance with IC 5-3-5:

(d) A newspaper or locality newspaper may not:

(1) charge a person a fee for viewing or searching the website or electronic edition for public notices; or

(2) require a person to register on the newspaper or locality newspaper's website in order to view or search for public notices on the website:

(e) The basic charge for publication of a notice in an electronic edition shall be the same as the basic charge for publication of the notice in the print edition in accordance with section 4 of this chapter:

SECTION 6. IC 5-3-1-4, AS AMENDED BY P.L.147-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Whenever officers of a political subdivision are required to publish a notice affecting the political subdivision, they shall **may** publish the notice in two (2) **newspapers of the forms of media listed under section 1.5(b) of this chapter. If officers choose to publish a notice in any form of newspaper or locality newspaper, the newspaper's or locality newspaper's print edition must be published in or circulate within the political subdivision as provided in section 1.5(b) of this chapter.**

(b) This subsection applies to notices published by county officers. If there is only one (1) newspaper published in the county, then publication in that newspaper alone is sufficient:

(c) This subsection applies to notices published by city, town, or school corporation officers. If there is only one (1) newspaper published in the municipality or school corporation, then publication in that newspaper alone is sufficient. If no newspaper is published in the municipality or school corporation, then publication of the notice shall be made in one (1) of the following:

(1) A locality newspaper that circulates within the municipality or school corporation:



(2) A newspaper published in the county in which the municipality or school corporation is located and that circulates within the municipality or school corporation.

(d) This subsection applies to notices published by officers of political subdivisions not covered by subsection (a) or (b). If there is only one (1) newspaper published in the political subdivision, then the notice shall be published in that newspaper. If no newspaper is published in the political subdivision, then publication of the notice shall be made in one (1) of the following:

(1) A locality newspaper that circulates within the municipality or school corporation.

(2) A newspaper published in the county and that circulates within the political subdivision.

(e) This subsection applies to a political subdivision, including a city, town, or school corporation. Notwithstanding any other law, if a political subdivision has territory in more than one (1) county, public notices that are required by law or ordered to be published must be given as follows:

(1) By publication in two (2) newspapers published within the boundaries of the political subdivision.

(2) If only one (1) newspaper is published within the boundaries of the political subdivision, by publication of the notice in that newspaper and in one (1) of the following:

(A) A locality newspaper that circulates within the political subdivision.

(B) In another newspaper:

(i) published in any county in which the political subdivision extends; and

(ii) that has a general circulation in the political subdivision.

(3) If no newspaper is published within the boundaries of the political subdivision, by publishing the notice in two (2) publications, consisting of either or both of the following:

(A) A locality newspaper that circulates within the political subdivision.

(B) A newspaper that:

(i) is published in any counties into which the political subdivision extends; and

(ii) has a general circulation in the political subdivision.

(4) If only one (1) newspaper is published in any of the counties into which the political subdivision extends, by publication of the notice in one (1) of the following:

(A) A locality newspaper that circulates within the political



subdivision:

(B) The newspaper published in the county if the newspaper circulates within the political subdivision.

(b) A political subdivision may, in its discretion, publish public notices in a qualified publication or additional newspapers or locality newspapers to provide supplementary notification to the public. The cost of publishing supplementary notification is a proper expenditure of the political subdivision.

SECTION 7. IC 5-3-1.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 1.6. State Public Notice Website

Sec. 1. The definitions in IC 5-3-1 apply throughout this chapter.

Sec. 2. Not later than July 1, 2026, the Indiana archives and records administration created by IC 5-15-5.1-3 shall establish and operate a state public notice website as a repository for public notices.

Sec. 3. The state public notice website shall:

(1) receive, publish, and store public notices; and

(2) be searchable by:

(A) county, city, town, township, school corporation;

(B) date of publication or event; and

(C) subject, which may include:

(i) public hearing notices;

(ii) build operate transfer notices under IC 5-23;

(iii) notices regarding the receiving of bids;

(iv) election notices;

(v) notices regarding the sales of bonds, notes, or warrants;

(vi) notices regarding the cumulative or sinking funds; and

(vii) notices regarding the adoption of ordinances.

Sec. 4. (a) Except as provided in subsection (b), a public notice shall be maintained on the state public notice website for at least seven (7) days after the day of publication.

(b) If a public notice is required by law to be published on at least two (2) days and for a specified frequency, the notice shall be maintained on the state public notice website from the first day that publication of the notice is required by law until at least seven (7) days after the last day that publication of the notice is required by law.

Sec. 5. A person may submit a notice for publication directly to



the state public notice website.

Sec. 6. The Indiana archives and records administration shall do the following:

(1) Maintain the state public notice website to be accessible and searchable by the public at all times, other than during maintenance or circumstances outside the operator's control.

(2) Not charge the person placing the notice a fee for:

(A) publishing a public notice on the state public notice website; or

(B) viewing or searching the state public notice website for public notices.

(3) Not require a person to register in order to view or search for public notices on the website.

Sec. 7. Proof of publication of notice shall be provided in accordance with rules adopted by the supreme court.

Sec. 8. IC 5-3-1-2.3 and any other provision regarding an error or omission in a notice published in a newspaper also apply to a publication of a notice on the state public notice website.

SECTION 8. IC 5-3-5-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 10. This chapter expires July 1, 2026.**

SECTION 9. IC 5-15-5.1-5, AS AMENDED BY P.L.222-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Subject to approval by the oversight committee on public records created by section 18 of this chapter, the administration shall do the following:

(1) Establish a forms management program for state forms.

(2) Establish and maintain a central cross index filing system of all state forms.

(3) Establish a statewide records management program, prescribing the standards and procedures for:

(A) retention and preservation of agency records; and

(B) records management training for agencies and local government.

However, the investigative and criminal history records of the state police department are exempted from this requirement.

(4) Establish and operate a statewide archival program to be called the Indiana state archives for the permanent government records of the state and local governments, provide consultant services for archival programs, conduct surveys, and provide training for records coordinators.

(5) Establish and operate a statewide records preservation



laboratory.

(6) Prepare, develop, and implement records retention schedules.

(7) Establish and operate a central records center to be called the Indiana state records center, which shall accept all records approved for transfer to it, provide secure storage and reference service for the same, and submit written notice to the applicable agency of intended destruction of records in accordance with approved retention schedules.

(8) Demand from any person, organization, or body who has illegal possession of original state or local government records those records, which shall be delivered to the administration.

(9) Have the authority to examine all forms and records housed or possessed by state agencies and local governments for the purpose of fulfilling the provisions of this chapter.

(10) In coordination with the office of technology established by IC 4-13.1-2-1, establish standards to ensure the preservation of adequate and permanent computerized and auxiliary automated information records of state agencies and local government.

(11) Notwithstanding IC 5-14-3-8, establish a schedule of fees for services provided to patrons of the Indiana state archives, patrons of the state imaging and microfilm laboratory, and state agencies. A copying fee established under this subdivision may exceed the copying fee set forth in IC 5-14-3-8(c).

(12) Advise the office of technology established by IC 4-13.1-2-1 with respect to records management and archival principles as applicable to the purchase of all electronic content and information management systems.

(b) Fees collected under subsection (a)(11) shall be deposited in the state archives preservation and reproduction account established by section 5.3 of this chapter.

(c) The administration shall establish and operate the state public notice website under IC 5-3-1.6.

SECTION 10. IC 6-1.1-28-0.7, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 0.7. The county assessor of the county responsible for administration of a multiple county property tax assessment board of appeals under section 0.5 of this chapter shall give notice of the time, date, place, and purpose of each annual session of the multiple county property tax assessment board of appeals. The county assessor shall give the notice two (2) weeks before the first meeting of the multiple county property tax assessment board of appeals by:



- (1) publication of the notice within the geographic area over which the multiple county property tax assessment board of appeals has jurisdiction in the same manner as political subdivisions subject to ~~IC 5-3-1-4(c)~~ **IC 5-3-1-4** are required to publish notice; and
- (2) posting of the notice on the county assessor's ~~Internet web site~~ **website**.

SECTION 11. IC 36-8-12-16, AS AMENDED BY P.L.236-2023, SECTION 201, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A volunteer fire department that provides service within a jurisdiction served by the department may establish a schedule of charges for the services that the department provides not to exceed the state fire marshal's recommended schedule for services. The volunteer fire department or its agent may collect a service charge according to this schedule from the owner of property that receives service if the following conditions are met:

- (1) At the following times, the department gives notice under ~~IC 5-3-1-4(d)~~ **IC 5-3-1-4** in each political subdivision served by the department of the amount of the service charge for each service that the department provides:

- (A) Before the schedule of service charges is initiated.
- (B) When there is a change in the amount of a service charge.

- (2) The property owner has not sent written notice to the department to refuse service by the department to the owner's property.

- (3) The bill for payment of the service charge:

- (A) is submitted to the property owner in writing within thirty (30) days after the services are provided;
- (B) includes a copy of a fire incident report in the form prescribed by the state fire marshal, if the service was provided for an event that requires a fire incident report;
- (C) must contain verification that the bill has been approved by the chief of the volunteer fire department; and
- (D) must contain language indicating that correspondence from the property owner and any question from the property owner regarding the bill should be directed to the department.

- (4) Payment is remitted directly to the governmental unit providing the service.

(b) A volunteer fire department shall use the revenue collected from the fire service charges under this section:

- (1) for the purchase of equipment, buildings, and property for firefighting, fire protection, or other emergency services;



(2) for deposit in the township firefighting and emergency services fund established under IC 36-8-13-4(a)(1) or the township firefighting fund established under IC 36-8-13-4(a)(2)(A); or

(3) to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.

(c) Any administrative fees charged by a fire department's agent must be paid only from fees that are collected and allowed by Indiana law and the fire marshal's schedule of fees.

(d) An agent who processes fees on behalf of a fire department shall send all bills, notices, and other related materials to both the fire department and the person being billed for services.

(e) All fees allowed by Indiana law and the fire marshal's fee schedule must be itemized separately from any other charges.

(f) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in IC 34-6-2-110), the legislative body of a contracting political subdivision must approve the schedule of service charges established under subsection (a) before the schedule of service charges is initiated in that political subdivision.

(g) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) charges for services under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of service charges collected during the previous calendar year and how those funds have been expended.

(h) The state fire marshal shall annually prepare and publish a recommended schedule of service charges for fire protection services.

(i) The volunteer fire department or its agent may maintain a civil action to recover an unpaid service charge under this section and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 12. IC 36-8-12-17, AS AMENDED BY P.L.236-2023, SECTION 202, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) If a political subdivision has not imposed its own false alarm fee or service charge, a volunteer fire department that provides service within the jurisdiction may establish



1 a service charge for responding to false alarms. The volunteer fire
 2 department may collect the false alarm service charge from the owner
 3 of the property if the volunteer fire department dispatches firefighting
 4 apparatus or personnel to a building or premises in the township in
 5 response to:

- 6 (1) an alarm caused by improper installation or improper
- 7 maintenance; or
- 8 (2) a drill or test, if the fire department is not previously notified
- 9 that the alarm is a drill or test.

10 However, if the owner of property that constitutes the owner's residence
 11 establishes that the alarm is under a maintenance contract with an
 12 alarm company and that the alarm company has been notified of the
 13 improper installation or maintenance of the alarm, the alarm company
 14 is liable for the payment of the fee or service charge.

15 (b) Before establishing a false alarm service charge, the volunteer
 16 fire department must provide notice under ~~IC 5-3-1-4(d)~~ **IC 5-3-1-4** in
 17 each political subdivision served by the department of the amount of
 18 the false alarm service charge. The notice required by this subsection
 19 must be given:

- 20 (1) before the false alarm service charge is initiated; and
- 21 (2) before a change in the amount of the false alarm service
- 22 charge.

23 (c) A volunteer fire department may not collect a false alarm service
 24 charge from a property owner or alarm company unless the
 25 department's bill for payment of the service charge:

- 26 (1) is submitted to the property owner in writing within thirty (30)
- 27 days after the false alarm; and
- 28 (2) includes a copy of a fire incident report in the form prescribed
- 29 by the state fire marshal.

30 (d) A volunteer fire department shall use the money collected from
 31 the false alarm service charge imposed under this section:

- 32 (1) for the purchase of equipment, buildings, and property for fire
- 33 fighting, fire protection, or other emergency services;
- 34 (2) for deposit in the township firefighting and emergency
- 35 services fund established under IC 36-8-13-4(a)(1) or the
- 36 township firefighting fund established under
- 37 IC 36-8-13-4(a)(2)(A); or
- 38 (3) to pay principal and interest on a loan made by the department
- 39 of homeland security established by IC 10-19-2-1 or a division of
- 40 the department for the purchase of new or used firefighting and
- 41 other emergency equipment or apparatus.

42 (e) If at least twenty-five percent (25%) of the money received by a



1 volunteer fire department for providing fire protection or emergency
 2 services is received under one (1) or more contracts with one (1) or
 3 more political subdivisions (as defined in IC 34-6-2-110), the
 4 legislative body of a contracting political subdivision must approve the
 5 false alarm service charge established under subsection (a) before the
 6 service charge is initiated in that political subdivision.

7 (f) A volunteer fire department that:

8 (1) has contracted with a political subdivision to provide fire
 9 protection or emergency services; and

10 (2) imposes a false alarm service charge under this section;
 11 must submit a report to the legislative body of the political subdivision
 12 before April 1 of each year indicating the amount of false alarm
 13 charges collected during the previous calendar year and how those
 14 funds have been expended.

15 (g) The volunteer fire department may maintain a civil action to
 16 recover unpaid false alarm service charges imposed under this section
 17 and may, if it prevails, recover all costs of the action, including
 18 reasonable attorney's fees.

19 SECTION 13. [EFFECTIVE JULY 1, 2025] (a) **The legislative**
 20 **services agency shall prepare legislation for introduction in the**
 21 **2026 regular session of the general assembly to make any necessary**
 22 **amendments to the Indiana Code to conform to the amendments**
 23 **made by this act.**

24 (b) **This SECTION expires July 1, 2027.**

