



February 3, 2015

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## HOUSE BILL No. 1495

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DIGEST OF HB 1495 (Updated January 29, 2015 11:35 am - DI 75)

**Citations Affected:** IC 6-1.1; IC 36-2.

**Synopsis:** Various local government issues. Provides that a permit to move, or transfer title to, a mobile home expires thirty days after the date the permit is issued. Requires the owner of a mobile home to obtain a new permit if the owner wishes to move, or transfer title to, the mobile home after expiration of the original permit. Requires the county auditor, rather than the county treasurer, to give notice of tax rates in the county. Provides that 48 hours notice of a special meeting of the county executive must be given. (Under current law, six days notice must be given of a special meeting of the county executive.)

**Effective:** July 1, 2015.

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January 14, 2015, read first time and referred to Committee on Local Government.  
February 2, 2015, amended, reported — Do Pass.

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HB 1495—LS 7005/DI 75





February 3, 2015

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1495

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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 6-1.1-7-10, AS AMENDED BY P.L.203-2013,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2015]: Sec. 10. (a) A mobile home may not be moved from  
4 one (1) location to another unless the owner obtains a permit to move  
5 the mobile home from the county treasurer.  
6 (b) The bureau of motor vehicles may not transfer the title to a  
7 mobile home unless the owner obtains a permit to transfer the title from  
8 the county treasurer.  
9 (c) A county treasurer shall issue a permit which is required to  
10 either move, or transfer the title to, a mobile home if the taxes due on  
11 the mobile home have been paid. The permit shall state the date it is  
12 issued.  
13 (d) After issuing a permit to move a mobile home under subsection  
14 (c), a county treasurer shall notify the township assessor of the  
15 township to which the mobile home will be moved, or the county

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1 assessor if there is no township assessor for the township, that the  
2 permit to move the mobile home has been issued.

3 **(e) A permit to move, or transfer title to, a mobile home that is**  
4 **issued under this section expires thirty (30) days after the date the**  
5 **permit is issued. The permit is invalid after the permit expires. If**  
6 **the owner wishes to move, or transfer title to, the mobile home**  
7 **after the permit has expired, the owner must obtain a new permit**  
8 **under this section.**

9 SECTION 2. IC 6-1.1-22-4, AS AMENDED BY P.L.42-2011,  
10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2015]: Sec. 4. (a) Immediately upon the receipt of the tax  
12 duplicate, the county ~~treasurer~~ **auditor** shall give notice of the rate of  
13 tax per one hundred dollars (\$100) of assessed valuation to be collected  
14 in the county for each purpose and the total of the rates in each taxing  
15 district. This notice shall be published in the form prescribed by the  
16 department of local government finance three (3) times with each  
17 publication one (1) week apart.

18 (b) The notice required by this section shall be printed in two (2)  
19 newspapers which represent different political parties and which are  
20 published in the county. However, if two (2) newspapers which  
21 represent different political parties are not published in the county, the  
22 notice shall be printed in one (1) newspaper.

23 SECTION 3. IC 6-1.1-24-1, AS AMENDED BY THE TECHNICAL  
24 CORRECTIONS BILL OF THE 2015 GENERAL ASSEMBLY, IS  
25 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:  
26 Sec. 1. (a) On or after January 1 of each calendar year in which a tax  
27 sale will be held in a county and not later than fifty-one (51) days after  
28 the first tax payment due date in that calendar year, the county treasurer  
29 *(or county executive; in the case of property described in subdivision*  
30 *(2))* shall certify to the county auditor a list of real property on which  
31 any of the following exist:

32 (1) *In the case of real property other than real property described*  
33 *in subdivision (2);* Any property taxes or special assessments  
34 certified to the county auditor for collection by the county  
35 treasurer ~~from the prior year's spring installment or before~~ are  
36 delinquent as determined under IC 6-1.1-37-10 and the **prior**  
37 **year's spring installment or before** delinquent property *tax or*  
38 *taxes, special assessments, penalties, fees, or interest* due exceed  
39 twenty-five dollars (\$25).

40 (2) *In the case of real property for which a county executive has*  
41 *certified to the county auditor that the real property is:*

42 *(A) vacant; or*



1                    ~~(B) abandoned;~~  
 2                    ~~any property taxes or special assessments from the prior year's~~  
 3                    ~~fall installment or before that are delinquent as determined under~~  
 4                    ~~IC 6-1.1-37-10. The county executive must make a certification~~  
 5                    ~~under this subdivision not later than sixty-one (61) days before~~  
 6                    ~~the earliest date on which application for judgment and order for~~  
 7                    ~~sale may be made. The executive of a city or town may provide to~~  
 8                    ~~the county executive of the county in which the city or town is~~  
 9                    ~~located a list of real property that the city or town has determined~~  
 10                    ~~to be vacant or abandoned. The county executive shall include~~  
 11                    ~~real property included on the list provided by a city or town~~  
 12                    ~~executive on the list certified by the county executive to the~~  
 13                    ~~county auditor under this subsection.~~

14                    ~~(3) (2) Any unpaid costs are due under section 2(b) of this chapter~~  
 15                    ~~from a prior tax sale.~~

16                    (b) The county auditor shall maintain a list of all real property  
 17                    eligible for sale. Except as provided in section 1.2 or another provision  
 18                    of this chapter, the taxpayer's property shall remain on the list. The list  
 19                    must:

- 20                    (1) describe the real property by parcel number and common  
 21                    address, if any;  
 22                    (2) for a tract or item of real property with a single owner,  
 23                    indicate the name of the owner; and  
 24                    (3) for a tract or item with multiple owners, indicate the name of  
 25                    at least one (1) of the owners.

26                    (c) Except as otherwise provided in this chapter, the real property  
 27                    so listed is eligible for sale in the manner prescribed in this chapter.

28                    (d) Not later than fifteen (15) days after the date of the county  
 29                    treasurer's certification under subsection (a), the county auditor shall  
 30                    mail by certified mail a copy of the list described in subsection (b) to  
 31                    each mortgagee who requests from the county auditor by certified mail  
 32                    a copy of the list. Failure of the county auditor to mail the list under  
 33                    this subsection does not invalidate an otherwise valid sale.

34                    SECTION 4. IC 36-2-2-8 IS AMENDED TO READ AS FOLLOWS  
 35                    [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) If the public interest requires  
 36                    a special meeting of the executive, such a meeting may be called by a  
 37                    member of the executive or by:

- 38                    (1) the county auditor;  
 39                    (2) the county clerk, if the office of county auditor is vacant; or  
 40                    (3) the county recorder, if the offices of county auditor and county  
 41                    clerk are both vacant.

42                    (b) An officer calling a special meeting of the executive shall give



1 at least ~~six (6) days~~ **forty-eight (48) hours** notice of the meeting unless  
2 the meeting is called to deal with an emergency under IC 5-14-1.5-5.  
3 The notice must include a specific statement of the purpose of the  
4 meeting, and the executive may not conduct any unrelated business at  
5 the meeting.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1495, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 3.

Page 4, delete lines 1 through 26.

Page 5, delete lines 2 through 6, begin a new paragraph and insert:

**"(e) A permit to move, or transfer title to, a mobile home that is issued under this section expires thirty (30) days after the date the permit is issued. The permit is invalid after the permit expires. If the owner wishes to move, or transfer title to, the mobile home after the permit has expired, the owner must obtain a new permit under this section."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1495 as introduced.)

PRICE

Committee Vote: yeas 12, nays 0.

