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# BARNES & THORNBURG LLP

## Bill Track - Bill History Report

### Indiana Association of County Commissioners (IACC)

Run Time: Saturday, Jan-21-2012, 12:19 PM

**HB1005** *Nepotism; conflict of interest.* ([Mahan](#))

#### Digest

Specifies that the following are not lucrative offices: (1) Notary public. (2) Membership on a board administered by the professional licensing agency. Provides that an employee of a county, city, town, or township (unit) is considered to have resigned from employment with the unit if the employee assumes the elected executive office of the unit or becomes an elected member of the unit's legislative or fiscal body. Provides that an individual who is serving as a volunteer firefighter may not: (1) assume the office of executive of the unit; or (2) become a member of the executive, legislative, or fiscal body of the unit; that oversees the budget and operations of the fire department in which the volunteer firefighter serves. Specifies that an elected officer may also be appointed to and serve on a board, commission, or committee of the unit. Provides that the restriction does not prohibit an employee or volunteer firefighter from holding an elected office of another unit. Allows an employee or a volunteer firefighter who assumes or holds an elected office on January 1, 2013, to continue to hold the office and be employed by the unit or serve as a volunteer firefighter until the expiration of the term of office. Provides that relatives may not be employed by a unit in positions that result in one relative being in the direct line of supervision of the other relative. Provides that an individual who is employed by a unit on July 1, 2012, is not subject to the provisions regarding nepotism unless the individual has a break in employment with the unit. Provides that for purposes of the nepotism law, the performance of the duties of a precinct election officer or a volunteer firefighter is not considered employment by a unit. Provides that an individual who is employed by a unit on the date the individual's relative begins serving a term of an elected office of the unit: (1) may remain employed by the unit and maintain the individual's position or rank even if the individual would be in the direct line of supervision of the individual's relative; and (2) may not be promoted to a position or, in the case of an individual who is a member of a merit police department or merit fire department, promoted to a position that is not within the merit ranks, if the new position would place the individual in the direct line of supervision of the individual's relative. Makes the following additional exceptions: (1) Allows a township trustee whose office is located in the trustee's personal residence to employ only one relative to work in the township trustee's office and be in the trustee's line of supervision. (2) Allows a coroner who is ineligible for another term of office due to term limits to be hired by the coroner's successor, even though the successor is a relative and will result in the coroner working in the successor's direct line of supervision. (3) Allows a sheriff to hire the sheriff's spouse as prison matron for the county and work in the sheriff's direct line of supervision. Limits the total compensation of the township trustee's employed relative to \$5,000 per year. Provides that provisions concerning nepotism apply to a person who is a party to an employment contract with a unit. Requires a unit to implement a policy that complies with the nepotism law and contracting law. Requires each elected official of the unit to annually certify in writing, subject to the penalties for perjury, that the official is in compliance with the nepotism and contracting law and to submit the certification to the executive of the local unit. Requires the executive of the local unit to file with the annual personnel report filed with the state board of accounts a statement regarding whether the unit has implemented a policy that complies with the nepotism law and contracting law. Provides that a unit can enter into or renew: (1) a contract for the procurement of goods and services; or (2) a contract for public works; with a relative of an elected official or a business entity in which a relative has an ownership interest if the elected official does not violate the criminal conflict of interest statute and the elected official makes full, written disclosure and satisfies any other requirements of the public purchasing law or the public works law.

Date	Action
01/04/2012	<b>H: 1st Reading</b> Assigned <a href="#">Government and Regulatory Reform</a>
01/05/2012	<b>H: Committee Sched</b> 11:00am Room Room 156D <a href="#">Government and Regulatory Reform</a>
01/09/2012	<b>H: Author</b> Added <a href="#">Kevin Mahan</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Brian Bosma</a>

01/09/2012 **H: Co Author** Added [Chester F. Dobis](#)

01/12/2012 **H: Committee Action** [Pass Amend\(10-0\) Government and Regulatory Reform](#)

01/13/2012 **H: Committee Report** amend do pass, adopted

01/13/2012 **H: Co Author** Added [Greg Steuerwald](#)

01/13/2012 **H: Co Author** Added [Mike Karickhoff](#)

01/13/2012 **H: Co Author** Added [Charlie Brown](#)

01/13/2012 **H: Co Author** Added [Tim Brown](#)

01/13/2012 **H: Co Author** Added [David Cheatham](#)

01/13/2012 **H: Co Author** Added [Thomas D. Knollman](#)

01/13/2012 **H: Co Author** Added [Milo Smith](#)

01/13/2012 **H: Co Author** Added [Mary Ann Sullivan](#)

01/13/2012 **H: Co Author** Added [Steve Davisson](#)

01/13/2012 **H: Co Author** Added [Jud McMillin](#)

01/13/2012 **H: Co Author** Added [Wendy McNamara](#)

01/13/2012 **H: Co Author** Added [Robert W. Behning](#)

01/13/2012 **H: Co Author** Added [Sheila Klinker](#)

01/13/2012 **H: Co Author** Added [David Alan Wolkins](#)

01/13/2012 **H: Co Author** Added [Daniel Leonard](#)

01/13/2012 **H: Co Author** Added [Bruce Borders](#)

01/13/2012 **H: Co Author** Added [Mara Candelaria Reardon](#)

01/13/2012 **H: Co Author** Added [Edmond Soliday](#)

01/13/2012 **H: Co Author** Added [Steven R. Stemler](#)

01/13/2012 **H: Co Author** Added [Charles Moseley](#)

01/13/2012 **H: Co Author** Added [Douglas Gutwein](#)

01/13/2012 **H: Co Author** Added [Mark Messmer](#)

01/13/2012 **H: Co Author** Added [Gail C Riecken](#)

01/13/2012 **H: Co Author** Added [Rebecca Kubacki](#)

01/13/2012 **H: Co Author** Added [Matt Ubelhor](#)

01/13/2012 **H: Co Author** Added [Woody Burton](#)

01/13/2012 **H: Co Author** Added [Jeffrey K. Espich](#)

01/13/2012 **H: Co Author** Added [William C. Friend](#)

01/13/2012 **H: Co Author** Added [P. Eric Turner](#)

01/13/2012 **H: Co Author** Added [Robert Cherry](#)

01/13/2012 **H: Co Author** Added [Phillip D. Hinkle](#)

01/13/2012 **H: Co Author** Added [Suzanne Crouch](#)

01/13/2012 **H: Co Author** Added [Randy Truitt](#)

01/13/2012 **H: Co Author** Added [Wes Culver](#)

01/13/2012 **H: Co Author** Added [Bob Morris](#)

01/13/2012 **H: Co Author** Added [Bob Heaton](#)

01/13/2012 **H: Co Author** Added [Mike Speedy](#)

01/13/2012 **H: Co Author** Added [Ralph M. Foley](#)

01/13/2012 **H: Co Author** Added [Peggy Welch](#)

01/13/2012 **H: Co Author** Added [Bill Davis](#)

01/13/2012 **H: Co Author** Added [David Yarde II](#)

01/13/2012 **H: Co Author** Added [Ed Clere](#)

01/13/2012 **H: Co Author** Added [Ron Bacon](#)

01/13/2012 **H: Co Author** Added [Kathy Heuer](#)

01/13/2012 **H: Co Author** Added [Jim Baird](#)

01/13/2012 **H: Co Author** Added [Jerry Torr](#)

01/13/2012 **H: Co Author** Added [Don Lehe](#)

01/13/2012 **H: Co Author** Added [Cindy Noe](#)

**HB1013** *Golf carts in unincorporated areas.* ([Lehman](#), [Holdman](#))

## Digest

Revises provisions governing the use of golf carts on certain roadways. Provides that an ordinance adopted by a county authorizing the use of golf carts in a county: (1) must have the approval of the sheriff of the county; (2) must require that an individual who operates a golf cart in the county hold a driver's license; (3) must provide that a fine assessed for a violation of the ordinance be deposited in the general fund of the county; and (4) may allow the operator of a golf cart to cross a highway in the state highway system under certain circumstances. Specifies that a violation of a county ordinance governing the use of a golf cart crossing a state highway in a county is considered an ordinance violation (instead of a Class C infraction). Makes a technical correction.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Roads and Transportation</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Matthew Lehman</a>
01/09/2012	<b>H: Co Author</b>	Added <a href="#">Bill Davis</a>
01/11/2012	<b>H: Committee Sched</b>	10:30am Room 156D <a href="#">Roads and Transportation</a>
01/11/2012	<b>H: Committee Action</b>	<a href="#">Pass(11-0)</a> <a href="#">Roads and Transportation</a>
01/17/2012	<b>H: 3rd Reading</b>	<a href="#">Pass (91-2)</a>
01/17/2012	<b>H: Referred</b>	Referred to the Senate
01/17/2012	<b>H: Sponsor</b>	Added <a href="#">Travis Holdman</a>
01/17/2012	<b>H: Co Author</b>	Added <a href="#">Daniel Leonard</a>

### **HB1039** *Uses of local road funds.* ([Cherry](#))

#### **Digest**

Provides that money distributed from the motor vehicle highway account and the local road and street account to cities and towns may be used for the same purposes.

<b>Date</b>	<b>Action</b>	
01/12/2011	<b>H: Committee Sched</b>	9:30am Room 404 <a href="#">Ways and Means</a>
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Robert Cherry</a>
01/12/2012	<b>H: Committee Sched</b>	9:30am Room 404 <a href="#">Ways and Means</a>

### **HB1052** *Statewide bid for emergency services equipment.* ([Frye](#), [Nugent](#))

#### **Digest**

Requires the department of administration to award quantity purchase agreements for the purchase of emergency services equipment.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Government and Regulatory Reform</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Randy Frye</a>
01/10/2012	<b>H: Committee Sched</b>	10:00am Room 156A <a href="#">Government and Regulatory Reform</a>
01/10/2012	<b>H: Committee Action</b>	<a href="#">Pass(11-0)</a> <a href="#">Government and Regulatory Reform</a>
01/17/2012	<b>H: 3rd Reading</b>	<a href="#">Pass (96-0)</a>
01/17/2012	<b>H: Referred</b>	Referred to the Senate
01/17/2012	<b>H: Sponsor</b>	Added <a href="#">Johnny Nugent</a>

### **HB1072** *Tax administration.* ([Espich](#))

#### **Digest**

Changes dates for budget and levy adoption actions. Changes certain property tax related reporting requirements. Specifies that the amount that may be excluded from assessed value for the purposes of calculating budgets, property tax rates, and property tax levies may not exceed 2% of net assessed value, rather than 2% of assessed value, without approval by the department of local government finance. Specifies that notices concerning final actions on budgets, property tax rates, and property tax levies shall be given electronically rather than in writing. Changes the formula for applying the circuit breaker among debt and nondebt levies. Makes all political subdivisions with a nonelected governing body subject to review and adoption of the political subdivision's budget by a county, city, or town fiscal body. Requires approval of the supplemental appropriations of a political subdivision with a nonelected governing body by a county, city, or town fiscal body. Replaces a separate certification by county auditors concerning the amount of circuit breaker credits granted to taxpayers with an annual report by the department of local government finance. Permits waiver of tax bills under \$5. Extends period in which to file for a property tax appeal from 45 days to 60

days. Extends the sunset date for the Hoosier business investment tax credit from December 31, 2013, to December 31, 2015. Changes the procedures for submitting a certified copy of ordinances related to local income taxes to the state to require in all cases that the certified copy be sent to the commissioner of the department of state revenue, the director of the budget agency, and the commissioner of the department of local government finance by certified mail within 10 days after adoption. Changes the schedule on which revenue from county adjusted gross income taxes and county economic development taxes are distributed to counties from a biannual schedule to a monthly schedule. Eliminates provisions that provide for distribution of revenues from certain local income taxes on a quarterly basis in the initial year of adoption. Repeals: (1) authority to impose a local income tax to fund the expenses of prosecuting a capital case in Parke County; (2) authority to impose a local income tax to provide revenue for remediation of a superfund site in Tippecanoe County; and (3) expired authority to grant a tax rate to replace revenue lost from elimination of the inventory tax. Replaces population references in the local income tax law to certain counties with the names of the counties. Makes technical corrections.

<b>Date</b>	<b>Action</b>	
01/12/2011	<b>H: Committee Sched</b>	9:30am Room 404 <a href="#">Ways and Means</a>
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Jeffrey K. Espich</a>
01/12/2012	<b>H: Committee Sched</b>	9:30am Room 404 <a href="#">Ways and Means</a>
01/17/2012	<b>H: Committee Sched</b>	9:00am Room 404 <a href="#">Ways and Means</a>
01/20/2012	<b>H: Committee Action</b>	<a href="#">Pass Amend(14-3)</a> <a href="#">Ways and Means</a>

### **HB1087 Local income tax for public safety. ([Thompson](#))**

#### **Digest**

Authorizes counties in which two public safety answering points (PSAPs) are located to adopt an additional local option income tax rate under the county adjusted gross income tax laws or the county option income tax laws without adopting additional tax rates for property tax relief first if the revenue is for the sole purpose of funding the operations of the PSAPs in the county. Provides that the additional rate is subject to the maximum rate of 0.25% that current law imposes on additional rates for public safety and is subject to the approval of the department of local government finance. Provides for the distribution of the revenue from the additional rate to the PSAPs located in the county in amounts determined by the county fiscal body or county income tax council. Requires a political subdivision that operates a PSAP receiving the income tax revenue to reduce the enhanced emergency telephone system fee imposed by the unit and its property tax levy for funding a PSAP.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Jeffrey Thompson</a>
01/13/2012	<b>H: Committee Sched</b>	9:00am Room 404 <a href="#">Ways and Means</a>

### **HB1088 County and municipal income taxes. ([Thompson](#))**

#### **Digest**

Allows a county to use an additional county adjusted gross income tax rate or county option income tax rate to reduce all property tax levies imposed by the county by granting property tax replacement credits against those property tax levies to all taxpayers. Allows a municipality to adopt a municipal income tax if the municipality is located in such a county. Requires an adopting municipality to provide property tax relief for property owners in the municipality by freezing the levy or providing general property tax replacement credits, homestead credits, or local property tax replacement credits for residential property, or any combination of the permitted forms of relief. Provides that the maximum municipal option income tax rate is the rate specified for the reduction of the county levies. Provides that the combined municipal and county rates may not exceed 1%. Requires the department of state revenue to include on the adjusted gross income tax return a requirement that the taxpayer identify the city or town, if any, where the taxpayer's principal place of residence is located.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>H: 1st Reading</b>	Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b>	Added <a href="#">Jeffrey Thompson</a>

### **HB1090 Payment plan to remove property from tax sale. ([Friend](#))**

#### **Digest**

Applies statewide the authority that currently applies only in Lake County allowing the county auditor to remove real property from a tax sale if the county treasurer and the taxpayer agree to a mutually satisfactory arrangement for the payment of the delinquent taxes. Establishes a period

during which a taxpayer who fails to make a payment under the delinquent property tax payment arrangement may not enter into another arrangement. Allows the county treasurer to extend the tax sale redemption period applicable to a homestead if the county treasurer and the taxpayer agree to an arrangement for payment of the amount required for redemption before the expiration of the extended redemption period. Provides for cancellation of the agreement and the extension if the taxpayer fails to meet the terms of the agreement. Provides that the total amount required for redemption includes all taxes, special assessments, penalties, and fees on property that accrued after the tax sale.

<u>Date</u>	<u>Action</u>
01/12/2011	<b>H: Committee Sched</b> 9:30am Room 404 <a href="#">Ways and Means</a>
01/04/2012	<b>H: 1st Reading</b> Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b> Added <a href="#">William C. Friend</a>
01/12/2012	<b>H: Committee Sched</b> 9:30am Room 404 <a href="#">Ways and Means</a>
01/17/2012	<b>H: Committee Sched</b> 9:00am Room 404 <a href="#">Ways and Means</a>
01/17/2012	<b>H: Co Author</b> Added <a href="#">Wes Culver</a>
01/20/2012	<b>H: Committee Action</b> <a href="#">Pass Amend(17-0) Ways and Means</a>

**HB1093** *Public access issues.* ([Mahan](#))

### Digest

Requires a public agency to: (1) allow inspection or copying; or (2) make copies; of a public record within a reasonable time after the request is received by the agency. Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the public records law or the open door law. Provides that a court may impose a civil penalty of: (1) not more than \$100 for the first violation; and (2) not more than \$500 for any additional violations. Provides that a court may: (1) impose only one civil penalty against an individual in an action even if the court finds that the individual committed multiple violations; and (2) impose another civil penalty against the individual in a separate action. Provides that if an officer of a state or local government agency orders a management level employee to: (1) not give proper notice of a public meeting or executive session; or (2) deny or interfere with a person's request to inspect or copy a public document; the employee is not subject to a civil penalty for violating the statute. Provides that if a local government agency has the capacity to send electronic mail, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's web site if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold personal information from public disclosure regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the public records act. If a formal complaint is filed, requires the public access counselor to review public records in camera without redaction (excluding redacted information that is the work product of an attorney) to determine whether the redaction of the records violated the public records act. Provides that unredacted documents that are in the possession of the public access counselor for in camera inspection are confidential while in the possession of the public access counselor. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>H: 1st Reading</b> Assigned <a href="#">Government and Regulatory Reform</a>
01/09/2012	<b>H: Author</b> Added <a href="#">Kevin Mahan</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Kathy Kreag Richardson</a>
01/10/2012	<b>H: Committee Sched</b> 10:00am Room 156A <a href="#">Government and Regulatory Reform</a>
01/17/2012	<b>H: Committee Sched</b> 10:30am Room 156A <a href="#">Government and Regulatory Reform</a>
01/17/2012	<b>H: Co Author</b> Added <a href="#">Ed Clere</a>
01/17/2012	<b>H: Committee Action</b> <a href="#">Pass Amend(11-0) Government and Regulatory Reform</a>

**HB1098** *Recall of elected and appointed officials.* ([Stevenson](#))

### Digest

Establishes a procedure for the recall of a person who holds a state, legislative, local, or school board office (other than a justice, judge, or

prosecuting attorney) or who is appointed to an office of the state or a political subdivision. Requires that a recall petition must be signed by at least 10% of the registered voters in the jurisdiction served by the official (or a number of voters equal to at least 10% of the total number of votes cast in the last election for secretary of state if the official holds an elected state office). Removes an officeholder if: (1) at least 60% of the votes cast; or (2) a majority of the registered voters in the election district; vote for the recall. Specifies that a commissioner of a police and fire merit commission may be removed by the recall procedure under current law.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>H: 1st Reading</b> Assigned <a href="#">Elections and Apportionment</a>
01/09/2012	<b>H: Author</b> Added <a href="#">Dan Stevenson</a>

**HB1126** *Extraterritorial water and sewer rates.* ([Frizzell](#))

**Digest**

Provides that: (1) a municipality that operates a water, wastewater, or combined water and wastewater utility; or (2) users of the utility's works whose property is located outside the corporate boundaries of the municipality; may petition the utility regulatory commission (IURC) under certain circumstances for review and revision of the rates and charges imposed on the users. Requires the IURC to prescribe the form and content of the petition. Provides that a petition is considered approved if the IURC does not approve or disapprove the petition within 120 days. Authorizes the IURC to adopt rules.

<u>Date</u>	<u>Action</u>
01/06/2012	<b>H: 1st Reading</b> Assigned <a href="#">Environmental Affairs</a>
01/09/2012	<b>H: Author</b> Added <a href="#">David Nason Frizzell</a>
01/24/2012	<b>H: Committee Sched</b> 8:30am Room 156C <a href="#">Environmental Affairs</a>

**HB1130** *County options for delinquent property taxes.* ([Soliday](#))

**Digest**

Provides that the fiscal body of a county may adopt an ordinance authorizing the county treasurer to accept a minimum bid on real property subject to sale for delinquent taxes equal to the lesser of: (1) the delinquent taxes, penalties, and other related costs; or (2) 75% of the gross assessed value of the real property. Provides that the fiscal body of a county may adopt an ordinance to require waiver of penalties on delinquent taxes on real property in the county if: (1) part of the delinquent taxes on the real property were first due and payable before January 1, 2010; and (2) all of the delinquent taxes on the real property are paid after June 30, 2012, and before July 1, 2013. Applies statewide the authority that currently applies only in Lake County allowing the county auditor to remove real property from a tax sale if the county treasurer and the taxpayer agree to a mutually satisfactory arrangement for the payment of the delinquent taxes. Establishes a period during which a taxpayer who fails to make a payment under the delinquent property tax payment arrangement may not enter into another arrangement.

<u>Date</u>	<u>Action</u>
01/06/2012	<b>H: 1st Reading</b> Assigned <a href="#">Ways and Means</a>
01/09/2012	<b>H: Author</b> Added <a href="#">Edmond Soliday</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Charlie Brown</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Ed Delaney</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Mike Speedy</a>

**HB1134** *Various education matters.* ([Speedy](#))

**Digest**

Provides that no fee may be charged to a parent or student for transportation to and from school if a school corporation provides transportation or contracts with an educational service center to provide transportation. Requires the state school bus committee to establish minimum standards requiring periodic sampling of drive train lubricants and cooling system fluids for school buses and special purpose buses. Specifies that the necessity for replacing a school bus must be documented based on the periodic sampling of drive train lubricants and cooling system fluids. Makes technical corrections.

<u>Date</u>	<u>Action</u>
01/06/2012	<b>H: 1st Reading</b> Assigned <a href="#">Education</a>
01/09/2012	<b>H: Author</b> Added <a href="#">Mike Speedy</a>
01/09/2012	<b>H: Co Author</b> Added <a href="#">Ed Delaney</a>
01/20/2012	<b>H: Committee Sched</b> 8:30am Room House Chambers <a href="#">Education</a>

01/23/2012 **H: Committee Sched** 10:30am Room 156C [Education](#)

**HB1154** *Local purchasing and public works preferences.* ([Messmer](#))

**Digest**

Provides that the local Indiana business preference applies to a contract for a purchase made by a political subdivision only if the political subdivision provides in the solicitation that the preference is applicable to the purchase. Provides that the term "affected county" refers only to an Indiana county. Repeals the local Indiana business preference for public works projects.

<b>Date</b>	<b>Action</b>
01/06/2012 <b>H: 1st Reading</b>	Assigned <a href="#">Government and Regulatory Reform</a>
01/09/2012 <b>H: Author</b>	Added <a href="#">Mark Messmer</a>
01/17/2012 <b>H: Committee Sched</b>	10:30am Room 156A <a href="#">Government and Regulatory Reform</a>
01/17/2012 <b>H: Committee Action</b>	Pass(10-0) <a href="#">Government and Regulatory Reform</a>

**HB1163** *Bonding and retainage in public works projects.* ([Torr](#))

**Digest**

Provides that a person who has a claim against the retainage or the payment bond of a contractor on a public works project must make the claim and deliver a copy of the claim to the contractor not later than stated times after that person performed the service or labor or supplied the materials for the public works project. Decreases the amount that may be withheld on state public works projects upon substantial completion to cover remaining uncompleted minor items. Makes stylistic and technical changes.

<b>Date</b>	<b>Action</b>
01/06/2012 <b>H: 1st Reading</b>	Assigned <a href="#">Government and Regulatory Reform</a>
01/09/2012 <b>H: Author</b>	Added <a href="#">Jerry Torr</a>
01/24/2012 <b>H: Committee Sched</b>	10:30am Room 156A <a href="#">Government and Regulatory Reform</a>

**HB1191** *Costs of local public works projects.* ([Culver](#))

**Digest**

Provides that for purposes of determining whether a political subdivision may perform a public works project with its own workforce, the cost of design, construction inspection, and other engineering work performed by the political subdivision's own employees is not included in the cost of the public works project.

<b>Date</b>	<b>Action</b>
01/09/2012 <b>H: Author</b>	Added <a href="#">Wes Culver</a>
01/09/2012 <b>H: Co Author</b>	Added <a href="#">Tim Wesco</a>
01/09/2012 <b>H: 1st Reading</b>	Assigned <a href="#">Local Government</a>
01/09/2012 <b>H: Author</b>	<a href="#">Wes Culver</a>
01/09/2012 <b>H: Author</b>	<a href="#">Tim Wesco</a>
01/25/2012 <b>H: Committee Sched</b>	3:30pm Room 156B <a href="#">Local Government</a>

**HB1210** *PSAP funding.* ([Steuerwald](#))

**Digest**

Authorizes counties (other than Marion County) to adopt an additional local option income tax rate under the county adjusted gross income tax or the county option income tax laws, without first adopting additional tax rates for property tax relief if the revenue is used to fund the operations of the public safety answering points (PSAPs) in the county. Requires a political subdivision that operates a PSAP receiving the income tax revenue to reduce its property tax levy for funding a PSAP by the estimated amount of local option income taxes that the PSAP will receive in the ensuing calendar year. Provides that the additional rate is subject to the maximum rate of 0.25% that current law imposes on additional rates for public safety. Changes the permitted uses of revenue used to fund PSAPs. Adds two members to the wireless enhanced 911 advisory board. Increases the wireless emergency enhanced 911 fee from \$0.50 to \$1.25. Increases a provider's collection allowance proportionately. Increases the enhanced prepaid wireless charge from \$0.25 to \$1.25. Removes the wireless enhanced 911 advisory board's discretion to adjust the fees. Repeals the conditional expiration of the enhanced prepaid wireless charge.

<b>Date</b>	<b>Action</b>
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01/09/2012 **H: Author** Added [Greg Steuerwald](#)  
 01/09/2012 **H: Co Author** Added [Jeffrey Thompson](#)  
 01/09/2012 **H: 1st Reading** Assigned [Ways and Means](#)  
 01/09/2012 **H: Author** [Greg Steuerwald](#)  
 01/09/2012 **H: Author** [Jeffrey Thompson](#)  
 01/13/2012 **H: Committee Sched** 9:00am Room 404 [Ways and Means](#)

### **HB1231** *IEDC collaboration.* ([Reske](#))

#### **Digest**

Requires the Indiana economic development corporation (IEDC) to collaborate with economic development agencies in surrounding states to develop economic development initiatives. Provides that the collaboration may be carried out directly with the economic development agencies or may be carried out through organizations in which surrounding states participate. Requires the IEDC to report each year to the interim study committee on economic development and to the legislative council regarding the collaboration efforts and the results of those efforts. Makes technical corrections.

<b>Date</b>	<b>Action</b>
01/09/2012 <b>H: Author</b>	Added <a href="#">Scott Reske</a>
01/09/2012 <b>H: 1st Reading</b>	Assigned <a href="#">Commerce, Small Business and Economic Development</a>
01/09/2012 <b>H: Author</b>	<a href="#">Scott Reske</a>

### **HB1241** *Rural entrepreneurship areas.* ([Ellspermann](#))

#### **Digest**

Permits a venture capital investment tax credit that has been certified by the economic development corporation to be applied against tax liability when the qualified investment capital is provided regardless of whether the total amount of tax credits applied by all taxpayers in a particular calendar year exceeds \$12,500,000. Permits a rural county, with the approval of the economic development corporation, to designate the county as a rural entrepreneurship tax incentive financing area. Provides for the transfer of adjusted gross income taxes annually paid by employees working in an area for a new business to the rural county for the development of new business opportunities in the rural county. Limits the amount that may be transferred in any year to \$500,000.

<b>Date</b>	<b>Action</b>
01/09/2012 <b>H: Author</b>	<a href="#">Sue Ellspermann</a>
01/12/2012 <b>H: Committee Sched</b>	9:30am Room 156D <a href="#">Commerce, Small Business and Economic Development</a>
01/12/2012 <b>H: Co Author</b>	Added <a href="#">Steve Davisson</a>
01/12/2012 <b>H: Co Author</b>	Added <a href="#">Bill Davis</a>
01/12/2012 <b>H: Co Author</b>	Added <a href="#">Ron Bacon</a>
01/24/2012 <b>H: Committee Sched</b>	9:00am Room 156D <a href="#">Commerce, Small Business and Economic Development</a>

### **HB1249** *Land banks.* ([Clere](#))

#### **Digest**

Allows a county, city other than a consolidated city, or town unit to operate a land bank. Provides that a unit may adopt an ordinance designating an official, a department, or an instrumentality of the unit as the manager of land bank operations for the unit. Requires a consolidated city to operate a land bank. Provides that the manager of land bank operations for a consolidated city is a nonprofit corporation organized by the county executive. Specifies that the territory of a county land bank is all the territory of the county except for the territories of cities and towns in the county. Specifies that the territory of a consolidated city's land bank is all the territory of the county in which the consolidated city is located except for the territory of the county's excluded cities. Provides that: (1) abandoned or vacant real property on which delinquent real property taxes are owed; and (2) real property on which delinquent real property taxes are owed that has been offered for sale unsuccessfully; are transferred to the land bank in which the real property is located, if any. Requires the fiscal body of a county, city, or town that operates a land bank to appropriate to the land bank revenue from property taxes collected on real property disposed of by the land bank for three years following the year in which the land bank disposes of the real property, in the case of a consolidated city or a county, city, or town if the fiscal body of the county, city, or town has made an election to do so. Requires a consolidated city to appropriate money in the consolidated city's unsafe building fund that is not needed for executing the unsafe building law to the consolidated city's land bank. Repeals the definition of "substantial property interest of public record" to relocate the definition to a new chapter. Makes a technical correction.

Date	Action	
01/09/2012	H: Author	<a href="#">Ed Clere</a>
01/09/2012	H: Author	<a href="#">Woody Burton</a>
01/12/2012	H: Co Author	Added <a href="#">Gail C Riecken</a>
01/19/2012	H: Committee Sched	Upon Adjournment Room 156B <a href="#">Local Government</a>
01/25/2012	H: Committee Sched	3:30pm Room 156B <a href="#">Local Government</a>

### HB1250 *State government nepotism.* ([Mahan](#))

#### Digest

Provides that an individual may not be employed in the same state agency in which the individual's relative is employed or serving as an elected officer or an ex officio member. Provides that an individual may not employ: (1) a relative; or (2) a business entity of which a relative is a partner, executive officer, or sole proprietor; to perform services for the state agency in which the individual is employed or serves. Provides that the law does not apply to an individual or business entity employed by a state agency before July 1, 2012. Provides that an individual who is: (1) first employed in a state agency after June 30, 2012; and (2) employed in the same position for at least 12 consecutive months immediately preceding the date the individual's relative is first employed or begins serving as an elected officer or ex officio member; may remain employed in the state agency, but may not remain employed in the same position if the individual immediately reports to the individual's relative or is directly supervised by the individual's relative. Repeals provisions concerning employment of relatives in state agencies.

Date	Action	
01/09/2012	H: Author	Added <a href="#">Kevin Mahan</a>
01/09/2012	H: Co Author	Added <a href="#">Brian Bosma</a>
01/09/2012	H: 1st Reading	Assigned <a href="#">Government and Regulatory Reform</a>
01/09/2012	H: Author	<a href="#">Kevin Mahan</a>
01/09/2012	H: Author	<a href="#">Brian Bosma</a>
01/24/2012	H: Committee Sched	10:30am Room 156A <a href="#">Government and Regulatory Reform</a>

### HB1254 *Township reorganization.* ([Foley](#))

#### Digest

Provides that an employee of a political subdivision is considered to have resigned from employment with the political subdivision if the employee assumes the elected executive office of the political subdivision or becomes a member of the political subdivision's legislative or fiscal body. Makes this resignation provision apply to an employee of a political subdivision who assumes an elected office after June 30, 2013. Specifies that this provision does not prohibit an employee of a political subdivision from holding an elected office of a political subdivision other than the political subdivision that employs the government employee. Establishes an interim study committee to provide recommendations on making the statutes concerning township assistance standards clear, concise, and easy to interpret and apply. Eliminates township boards in all counties effective January 1, 2015. Specifies that after December 31, 2014, in all counties: (1) the county fiscal body is the fiscal body and legislative body of the township; and (2) the county fiscal body shall exercise the legislative and fiscal powers assigned in the Indiana Code to township boards, including the authority to adopt the township's annual budget and to levy township property taxes for township funds. Requires all counties to establish uniform standards for the provision of township assistance throughout the county. Provides that after December 31, 2014, in all counties, a uniform township assistance tax rate is applied throughout the county. Provides that provisions concerning a distressed township expire on January 1, 2015. Requires a public question to be placed on the ballot at the general election in November 2012 in all counties regarding the elimination of township government. Provides that in all counties other than Marion County, if a majority of the voters in a county vote "yes" on the public question all township powers and responsibilities are transferred to the county (including township assistance, fire protection, cemetery maintenance, weed control, parks, fence viewing, and any township libraries). Provides that in all counties other than Marion County, if a majority of the voters in the county vote "no" on the public question, township powers and responsibilities are transferred as follows: (1) A county board of trustees is created consisting of all trustees in the county. (2) Beginning January 1, 2015, the responsibility for funding and providing township assistance is transferred to the county, with administration of township assistance by the township trustee in each township subject to the supervision of the county board of trustees. (3) Requires the county board of trustees to prepare a county plan, approved by the county legislative body, for providing township assistance in the county. (4) Transfers the responsibility for cemetery maintenance and weed control to the county executive or county executive's designee. (5) Provides that the township and township trustee maintain responsibility for parks and recreation, fence viewing, and libraries (if any). Provides that in Marion County, if a majority of the voters in the county vote "yes" on the public question: (1) all township powers and responsibilities are transferred to the county and consolidated city (including township assistance, cemetery maintenance, weed control, parks, and fence viewing); (2) any remaining township fire departments or fire protection territories in the county are consolidated into the fire department of the

consolidated city; (3) the responsibilities of the township trustee concerning township small claims court are transferred to the mayor and city-county council of the consolidated city; and (4) the operations of the township constables and township small claims courts are accounted for in the county budget beginning January 1, 2015. Specifies that: (1) the small claims courts operate independently from the circuit and superior courts; and (2) except for adopting the budget and approving salaries, the city-county council does not have authority over a small claims court judge and the operations of a small claims court. Provides that in Marion County, if a majority of the voters of the county vote "no" on the public question, township powers and duties are not transferred to the county and consolidated city. Authorizes the consolidation of an excluded city's fire department into the fire department of the consolidated city if: (1) the legislative body of the excluded city, after approval by the executive of the excluded city, adopts an ordinance approving the consolidation; and (2) the legislative body of the consolidated city adopts an ordinance, approved by the mayor of the consolidated city, approving the consolidation. Provides the following in counties other than Marion County: (1) The county legislative body must adopt the county fire protection and emergency services plan. (In counties with a county board of trustees, the county board of trustees adopts the initial plan and submits it to the county legislative body for review and approval.) (2) After December 31, 2014, the county executive is responsible for providing fire protection and emergency services in the unincorporated areas of the county as

<u>Date</u>	<u>Action</u>	
01/09/2012	H: Author	<a href="#">Ralph M. Foley</a>
01/12/2012	H: Co Author	Added <a href="#">Jerry Torr</a>
01/17/2012	H: Committee Sched	10:30am Room 156A <a href="#">Government and Regulatory Reform</a>
01/24/2012	H: Committee Sched	10:30am Room 156A <a href="#">Government and Regulatory Reform</a>

### **HB1262 *Municipal drainage and utilities.* ([Morris](#))**

#### **Digest**

Provides that a municipality may acquire exclusive authority over storm water collection and disposal systems within its jurisdictional boundaries through the adoption of an ordinance. Requires a municipality to provide advance notice of the meeting at which the final vote on the ordinance will be taken to: (1) owners of lots and parcels within the municipality who are subject to storm water user fees; and (2) certain boards. Provides that a municipality adopting an ordinance is liable for outstanding bonds issued and indebtedness incurred on the storm water collection and disposal systems located within its jurisdictional boundaries over which it is acquiring exclusive authority. Requires a municipality acquiring exclusive authority to pay any amounts related to outstanding unpaid bonds and obligations until the indebtedness is fully paid. Requires a political subdivision ceding authority over storm water collection and disposal systems to transfer to the municipality acquiring the authority any unencumbered balances accrued before the effective date of the ordinance. Provides a municipality acquiring authority over the systems with the same duties, right of entry, and right-of-way powers upon private land that are given to county surveyors. Excludes a municipality establishing exclusive authority over storm water collection and disposal systems from certain drainage laws. Requires the drainage board of a county to relinquish jurisdiction over ditches and drains located in a municipality that is acquiring exclusive authority over storm water collection and disposal systems within the municipality.

<u>Date</u>	<u>Action</u>	
01/09/2012	H: Author	Added <a href="#">Bob Morris</a>
01/09/2012	H: 1st Reading	Assigned <a href="#">Environmental Affairs</a>
01/09/2012	H: Author	<a href="#">Bob Morris</a>

### **HB1263 *Public safety answering points.* ([Soliday](#))**

#### **Digest**

Specifies maximum landline, wireless, and prepaid wireless 911 fees. Provides that the existing fees expire January 1, 2013. Requires the fees to be imposed by county ordinance in equal amounts that may not exceed \$2. Specifies uses of 911 fees. Renames the wireless enhanced 911 advisory board the IN911 board (board) and expands its membership. Requires the counties to remit \$0.05 of each 911 fee to the board. Consolidates landline and prepaid wireless provisions into the existing wireless statute. Provides that the consolidated statute expires January 1, 2019. Repeals a moratorium on increasing the landline 911 fee for units subject to the consolidation of public service answering points. Repeals obsolete provisions concerning the recovery of costs related to the implementation of wireless enhanced 911 by CMRS service providers.

<u>Date</u>	<u>Action</u>	
01/09/2012	H: Author	Added <a href="#">Edmond Soliday</a>
01/09/2012	H: 1st Reading	Assigned <a href="#">Ways and Means</a>

01/09/2012 **H: Author** [Edmond Soliday](#)01/13/2012 **H: Committee Sched** 9:00am Room 404 [Ways and Means](#)**HB1280** *Regulatory matters.* ([Koch](#))**Digest**

Provides that intrastate commerce in Indiana is not subject to the authority of the United States Congress. Provides for a retrospective review of agency rules. Imposes a duty on a state agency under certain circumstances to give a person an opportunity to correct an alleged violation of law that is discovered in an inspection. Requires hearing officers and administrative law judges to be attorneys licensed to practice law in Indiana. Requires state agencies and instrumentalities to implement continuous process improvement techniques. Requires agencies to evaluate the benefits and costs of rules, seek alternatives to regulation, establish and publish a rulemaking docket, and encourage public participation in rulemaking proceedings. Requires that state documents provided to the public must be written in plain English. Requires each unit of local government that receives franchise fees paid to a unit from an entity providing video services to submit to the IURC an annual report on the unit's receipt and use of those franchise fees during the calendar year for which the report is submitted. Consolidates six categories of pharmacy licenses into three categories. Extends the provisions of the public lawsuit statute to cover all actions against a municipal corporation in which the petitioner has public standing.

Date	Action
01/10/2012	<b>H: Author</b> Added <a href="#">Eric Koch</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Government and Regulatory Reform</a>
01/20/2012	<b>H: Committee Sched</b> 8:30am Room 156A <a href="#">Government and Regulatory Reform</a>
01/20/2012	<b>H: Committee Action</b> <a href="#">Pass Amend(8-3)</a> <a href="#">Government and Regulatory Reform</a>

**HB1286** *Property tax levy limit.* ([Yarde](#))**Digest**

Adjusts the maximum permissible ad valorem property tax levy limit of a civil taxing unit to restore the amount of unused maximum permissible ad valorem property tax levy that the civil tax unit would have if no changes in the definition of "maximum permissible ad valorem property tax levy for the preceding calendar year" had been enacted after calendar year 2004.

Date	Action
01/10/2012	<b>H: Author</b> Added <a href="#">David Yarde II</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Ways and Means</a>

**HB1291** *TIF districts for housing programs.* ([GiaQuinta](#))**Digest**

Increases from 150 acres to 300 acres the total area that may be included in a tax increment financing (TIF) allocation area established for a housing program by a municipal or county redevelopment commission.

Date	Action
01/10/2012	<b>H: Author</b> Added <a href="#">Phil GiaQuinta</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Ways and Means</a>

**HB1317** *Local government issues.* ([Torr](#))**Digest**

Specifies that after December 31, 2012, in each county: (1) the county fiscal body is the fiscal body and legislative body of each township in the county; and (2) the county fiscal body shall exercise the legislative and fiscal powers assigned in the Indiana Code to township boards, including the authority to adopt the township's annual budget and to levy township property taxes for township funds. Specifies that for township budgets adopted for 2013, the total amount appropriated for a particular year may not exceed the result of: (1) the total amount appropriated for the previous year; multiplied by (2) the assessed value growth quotient applicable to the township for the particular year. Provides that if the county fiscal body determines that a township cannot carry out its governmental functions for 2013 under these appropriation limitations, the county fiscal body may appeal to the department of local government finance (DLGF) for relief from the appropriation limitations. Requires a public question to be placed on the November 2012 general election ballot in each county regarding whether the voters want to abolish the offices of township trustee and (if applicable) township assessor. Provides that if a majority of voters in a county approve the public question, on January 1, 2014: (1) the powers and duties of the township regarding township assistance, cemeteries, and weeds are transferred to the

county executive; and (2) the powers and duties of the township assessor are transferred to the county assessor. Provides that public funds from any source may not be expended by a political subdivision or by the state to promote a position on the public question, and prohibits certain other actions by a political subdivision or the state in promoting a position on the public question. Provides that if a majority of voters in Marion County approve the public question, the responsibilities of the township trustee concerning township small claims courts are transferred to the mayor and city-county council of the consolidated city. Specifies that: (1) the small claims courts operate independently from the circuit and superior courts; and (2) except for adopting the budget and approving salaries, the city-county council does not have authority over a small claims court judge and the operations of a small claims court. Provides that if the public question is approved in Marion County, the office of the small claims court constable in Marion County is abolished, and beginning January 1, 2014, personnel provided by the department of public safety of the consolidated city shall perform the duties formerly performed by the constables. Specifies that in counties (other than Marion County) that approve the public question concerning elimination of township government, a fire protection district is established on January 1, 2014, in the unincorporated territory of each township. Specifies that such a fire protection district: (1) may not be established in the territory of a township that is already included in a fire protection district as of January 1, 2014; (2) does not have a board of fire trustees; and (3) must have a single fire trustee appointed by the county executive. Provides that the county fiscal body shall by ordinance set the salary of a fire trustee in the county, and that the salary of a fire trustee shall be paid by the county. Provides that if the public question is approved in Marion County, each township fire department that has not previously been consolidated is consolidated into the fire department of the consolidated city on the earlier of a date set by executive order of the county executive or January 1, 2014. Provides that, not later than January 1, 2014, each fire department within a county must enter into a mutual aid agreement with one or more other fire departments within the county. Provides that a transfer of powers and duties between a township and the county results in the transfer of that township's property, equipment, personnel, records, rights, contracts, and indebtedness. Provides that if a township trustee or county trustee does not: (1) accept a completed application for township assistance; or (2) grant or deny a completed application for township assistance within the period required by law; the application is considered denied, and the denial may be appealed. Establishes a township assistance planning board (board) in each county. Provides that the board shall propose, for adoption by the county fiscal body, township standards that apply to all townships effective January 1, 2013. Specifies that in counties that approve the public question, the board must prepare a county plan for delivery of township assistance services that: (1) must be approved by the county executive and county fiscal body; and (2) takes effect January 1, 2014. Provides that after December 31, 2013, in counties that approve a public question, a county trustee administers township assistance in the county in accordance with the county plan. Specifies that, when formulating a proposed annual budget estimate for 2013 and thereafter, the township executive and the county fiscal body shall, with regard to a township capital improvement fund or cumulative building fund, consider the township capital improvement plan. Provides that after December 31, (Continued next page)

<b>Date</b>	<b>Action</b>
01/10/2012	<b>H: Author</b> Added <a href="#">Jerry Torr</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Government and Regulatory Reform</a>

**HB1334** *Local option tax for public safety.* ([Karickhoff](#))

### Digest

Eliminates the requirement that a county council or county income tax council adopt an additional local option income tax rate or tax rates for property tax relief before adopting an additional local option income tax rate for public safety.

<b>Date</b>	<b>Action</b>
01/10/2012	<b>H: Author</b> Added <a href="#">Mike Karickhoff</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Ways and Means</a>

**HB1342** *Local government issues.* ([Wesco](#))

### Digest

Provides that after December 31, 2014, in a township containing territory within a municipality that has a population of at least 10,000: (1) the township may continue to exercise the township's powers and duties only within the territory of the township that is unincorporated or is within a municipality that is located in the township and has a population of less than 10,000; and (2) within each municipality that has a population of at least 10,000 or within a consolidated city, the municipal executive shall exercise the powers and duties otherwise granted to the township trustee, and the municipal fiscal and legislative body shall exercise the powers and duties otherwise granted to the township board. Specifies that in the case of a township that has all of the township's territory within a municipality having a population of at least 10,000 or a county having a consolidated city, the offices of township trustee, township board, and township assessor (if any) of the township are abolished on January 1, 2015. Provides that after December 31, 2014, in a county having a consolidated city, salaries of small claims court judges shall be established by ordinance of the city-county council and shall be paid by the county in the same installments as judges of the superior court in

the county. Provides that for elections in 2014 and thereafter, a candidate for the office of township board or township trustee must reside in the area of the township that is in unincorporated territory or is within a municipality that is located in the township and has a population of less than 10,000. Provides that a township with a population of less than 1,500 must, before January 1, 2015, merge with another township government under the township merger statutes. Requires the department of local government finance (DLGF) to adjust the maximum permissible property tax levies, maximum permissible property tax rates, and budgets of: (1) each township from which powers, duties, and obligations are transferred; and (2) each municipality or county to which powers, duties, and obligations are transferred; as the DLGF determines necessary to account for the transfers of those duties, powers, and obligations. Provides that under certain conditions, an additional township assistance levy shall be imposed in 2015 and thereafter on property within the unincorporated territory of the township and within municipalities located in the township and having a population of less than 10,000. Specifies that if such a levy is imposed, the revenue is transferred to municipalities having a population of at least 10,000 within the township and must be used for township assistance purposes. Makes the following changes concerning township government: (1) Provides that if a trustee does not accept a completed application for township assistance or does not grant or deny a completed application for township assistance within the period required by statute, the application is considered denied, and the denial may be appealed to the board of county commissioners. (2) Provides that after December 31, 2014, the total compensation and benefits paid to a township board member may not exceed \$5,000 per year. (3) Specifies that each township office must include the address and telephone number of the township office in at least one local telephone directory. (4) Requires all township trustees to maintain a telephone answering machine or service and respond to inquiries within a specified time. (5) Requires a public hearing of a township legislative body to be held in a public place if one is available in the township. (6) Provides that if the township board fails to adopt township standards for two years, the DLGF may not approve the township budget and levy, and township board members may not receive any salary until the standards are adopted. (7) Provides that if the township trustee fails to file the township standards with the board of county commissioners for two years, the DLGF may not approve the township's budget and levy and the township trustee may not receive any salary until the standards are filed. (8) Provides that a township trustee may receive rental payments from the township for use of office space located in the trustee's private residence only if the space is used exclusively for conducting official township business and the rental payments do not exceed the rate charged for comparable commercial office space. Specifies that the annual report of a local governmental unit must be filed with the state board of accounts not later than March 1 of each fiscal year. Provides that an individual who is an immediate family member of an officer or employee of a political subdivision may not be employed by the political subdivision in a position in which the individual would have a direct supervisory or subordinate relationship with the officer or employee who is the individual's immediate family member. Specifies that this provision does not require the termination or reassignment of an employee from a position held by that individual before January 1, 2012. Changes certain population parameters to reflect the population count determined under the 2010 decennial census.

<u>Date</u>	<u>Action</u>
01/10/2012	<b>H: Author</b> Added <a href="#">Tim Wesco</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Government and Regulatory Reform</a>

#### **HB1349 Drainage boards. (Dodge)**

#### **Digest**

Provides that for purposes of the drainage law, a mutual drain or a private drain may be a natural surface watercourse. Requires that a drainage board of a county (board) must include every tract of land within a watershed affected by a drain that is constructed, reconstructed, or maintained when the board determines benefits or damages attributed to the drain. Provides that a board may use all or part of certain interest generated instead of fees to fund the services provided by the board.

<u>Date</u>	<u>Action</u>
01/10/2012	<b>H: Author</b> Added <a href="#">Richard "Dick" Dodge</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Agriculture and Rural Development</a>
01/17/2012	<b>H: Committee Sched</b> 8:30am Room 156C <a href="#">Agriculture and Rural Development</a>
01/17/2012	<b>H: Committee Action</b> Pass(7-0) <a href="#">Agriculture and Rural Development</a>

#### **HB1353 Limitation on lobbyist expenditures. (Reardon)**

#### **Digest**

Provides that a person who has a business relationship with a governmental body may not give a gift to an employee of that governmental body or to an elected official that serves that governmental body. Defines "business relationship" as seeking or having a contract with a governmental body or being an executive or legislative branch lobbyist with the state. Provides exceptions for nominal gifts, gifts given between close relatives, and gifts given by a political action committee to an elected official. Provides that a violation of the prohibition is a Class A misdemeanor. Makes conforming amendments to various statutes.

Date	Action
01/10/2012	<b>H: Author</b> Added <a href="#">Mara Candelaria Reardon</a>
01/10/2012	<b>H: 1st Reading</b> Assigned <a href="#">Rules and Legislative Procedures</a>

**HB1371 County officer presence in office. ([Ubelhor](#))****Digest**

Requires the county auditor, treasurer, recorder, surveyor, coroner, and assessor ("county officers") to be physically present in their respective offices at least 20 hours each week. Authorizes the county executive to increase the minimum physical presence requirement for all county officers or specified county officers. Provides that the county executive may reduce or waive the requirement for the county surveyor or the county coroner. Modifies the requirement to accommodate for vacation, sick, personal, and other leave to which a county officer is entitled under Indiana or federal law or county personnel policy. Provides that a county officer who habitually violates the physical presence requirement may be removed from office through an information filed by any voter of the county.

Date	Action
01/12/2012	<b>H: Author</b> Added <a href="#">Matt Ubelhor</a>
01/12/2012	<b>H: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0010 Massage therapists. ([Landske](#))****Digest**

Provides that an individual must be licensed by the state board of massage therapy to engage in the practice of massage therapy. (Under current law, massage therapists are certified by the board but certification is not required for the practice of massage therapy.) Prohibits local units of government from establishing or maintaining licensing requirements for massage therapy. Provides that the massage therapy licensing requirements do not apply to a health care provider who is acting within the scope of the health care provider's license, registration, or certificate. Makes conforming changes.

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Sue Landske</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Health and Provider Services</a>
01/25/2012	<b>S: Committee Sched</b> 8:30am Room Senate Chamber <a href="#">Health and Provider Services</a>

**SB0014 Local government reorganizations. ([Tomes](#))  
Position: ,****Digest**

Requires (rather than allows) the use of a "rejection threshold" in the case of a proposed local government reorganization involving a county and a municipality. (Under current law, the use of a rejection threshold that must be satisfied by both the voters of the municipality and by the county voters outside the municipality is optional.) Specifies that the rejection threshold (the percentage of the vote needed to reject the proposed reorganization) may not exceed 50% of the vote in the municipality or 50% of the vote in the area of the county outside the municipality.

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Jim Tomes</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Sched</b> 1:30pm Room 130 <a href="#">Local Government</a>

**SB0019 Real property reassessment. ([Delph](#), [Boots](#), [Richardson](#))****Digest**

Requires the county assessor of each county before January 1, 2013, to prepare and submit to the department of local government finance (DLGF) a reassessment plan for the county that first applies for the assessment date in 2014. Specifies that the reassessment plan is subject to approval by the DLGF. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels. Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Requires the assessor to mail notice of assessment within 90 days after the assessor completes the appraisal of a parcel or receives a report for a parcel from a professional appraiser or professional appraisal firm. Establishes procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>S: Author</b>	Added <a href="#">Phil Boots</a>
01/04/2012	<b>S: 1st Reading</b>	Assigned <a href="#">Tax and Fiscal Policy</a>
01/10/2012	<b>S: Committee Sched</b>	9:00am Room 431 <a href="#">Tax and Fiscal Policy</a>
01/10/2012	<b>S: Committee Action</b>	<a href="#">Pass Amend(11-0)</a> <a href="#">Tax and Fiscal Policy</a>
01/19/2012	<b>S: 3rd Reading</b>	<a href="#">Pass (48-0)</a>
01/19/2012	<b>S: Referred</b>	Referred to the House
01/19/2012	<b>S: Sponsor</b>	Added <a href="#">Kathy Kreag Richardson</a>
01/19/2012	<b>S: Co Author</b>	Added <a href="#">Ed Charbonneau</a>

**SB0025 *Redevelopment commissions and authorities.* ([Kenley](#))**

**Digest**

Provides that a redevelopment commission may not enter into any obligation payable from public funds without first obtaining the approval of the legislative or fiscal body of the unit. Provides an exception if the obligation is for the acquisition of real property and the payments are for three years or less or the purchase price is less than \$5,000,000. Specifies that the approving ordinance or resolution must include certain items. Provides that a redevelopment commission and a department of redevelopment are subject to oversight by the legislative body of the unit, including review by the legislative body of annual budgets. Specifies that a redevelopment commission and a department of redevelopment are subject to the same laws, rules, and ordinances of a general nature that apply to all other commissions or departments of the unit. Specifies that a redevelopment commission, a department of redevelopment, and a redevelopment authority are subject to audit by the state board of accounts and covered by the public meeting and public records laws. Requires a redevelopment commission to provide to the legislative body of the unit at a public meeting all the information supporting the action the redevelopment commission proposes to take regarding the sale, transfer, or other disposition of property. Provides that if the amount of excess assessed value determined by the commission is expected to generate more than 200% of the amount of allocated tax proceeds necessary to carry out the commission's plan, the determination of the amount of the excess available to other taxing units must be approved by the legislative body of the unit. Permits the legislative body of the unit to modify the commission's determination with respect to the amount of excess assessed value. Requires the treasurer of a redevelopment commission outside Indianapolis and the secretary-treasurer of a redevelopment authority outside Indianapolis to report quarterly to the fiscal officer of the unit that established the commission or authority. Provides that the Indianapolis controller is the fiscal officer of the redevelopment commission and redevelopment authority in Indianapolis. Authorizes the Indianapolis controller to obtain financial services on a contractual basis.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>S: Author</b>	Added <a href="#">Howard "Luke" Kenley</a>
01/04/2012	<b>S: 1st Reading</b>	Assigned <a href="#">Local Government</a>
01/04/2012	<b>S: 2nd Author</b>	Added <a href="#">Phil Boots</a>
01/04/2012	<b>S: Co Author</b>	Added <a href="#">Greg Walker</a>
01/18/2012	<b>S: Committee Sched</b>	1:30pm Room 130 <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Action</b>	<a href="#">Pass(8-1)</a> <a href="#">Local Government</a>
01/19/2012	<b>S: Committee Report</b>	do pass, adopted

**SB0027 *State highway closings.* ([Paul](#), [Leising](#))**

**Digest**

Provides that the Indiana department of transportation, before letting a contract for a proposed project that would construct or improve a state highway and require the closure of the state highway for at least five consecutive days, is required to provide notice of the proposed project to governmental bodies serving the area affected by the proposed highway closure. Authorizes a governmental body, within 30 days after being notified, to submit written objections to the proposed project to the department. Requires the department, if it receives written objections, to respond to the written objections at a regularly scheduled meeting of a governmental body serving the area affected by the proposed highway closure.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>S: Author</b>	Added <a href="#">Jean Leising</a>
01/04/2012	<b>S: Author</b>	Added <a href="#">Allen E. Paul</a>
01/04/2012	<b>S: 1st Reading</b>	Assigned <a href="#">Local Government</a>

**SB0028** *Annual review of unpaid restitution orders.* ([Mrvan](#))**Digest**

Requires a governmental entity that is the beneficiary of a criminal or juvenile restitution order issued by a state or federal court to annually file a payment status report with the court and with the state board of accounts. Provides that the payment status report must include information on the status of the restitution order, including, if applicable, information concerning any arrearage. Requires the state board of accounts to review the status of a restitution order if it conducts an audit of a governmental entity that is the beneficiary of the restitution order. Grants the issuing court authority to facilitate enforcement of the restitution order. Allows the: (1) attorney general (in the case of a restitution order issued on behalf of the state); or (2) prosecuting attorney (in the case of a restitution order issued on behalf of a political subdivision); to bring an action to collect the amount owed under a restitution order that is more than one year in arrears. Allows the attorney general or prosecuting attorney to retain not more than 10% of the unpaid restitution order as reimbursement for the costs of bringing the action.

Date	Action
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01/04/2012	S: <b>Author</b> Added <a href="#">Frank Mrvan, Jr.</a>
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01/04/2012	S: <b>1st Reading</b> Assigned <a href="#">Judiciary</a>
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**SB0029** *Employer purchased insurance.* ([Mrvan](#))**Digest**

Requires an employee's written consent to an employer's purchase of life or disability insurance covering the employee. Limits the amount payable under the life or disability insurance to the amount of the employee's annual salary.

Date	Action
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01/04/2012	S: <b>Author</b> Added <a href="#">Frank Mrvan, Jr.</a>
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01/04/2012	S: <b>1st Reading</b> Assigned <a href="#">Insurance and Financial Institutions</a>
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**SB0055** *Local government reorganization.* ([Eckerty](#))**Digest**

Provides that in the case of a proposed governmental reorganization that is on the ballot after June 30, 2012, and that involves a county and a municipality, the proposed reorganization is approved if: (1) a majority of the voters in the county voting on the public question (on a countywide basis) vote in favor of the proposed reorganization; and (2) in the case of a vote being conducted with a "rejection threshold", a majority of the voters of the county (excluding the voters of the reorganizing municipalities) voting on the public question vote in favor of the proposed reorganization and a majority of the voters of each reorganizing municipality voting on the public question also vote in favor of the proposed reorganization. (Under current law governing reorganizations involving a county and a municipality: (1) the percentage of the countywide vote that must approve the proposed reorganization may be set at a higher percentage than a majority vote; and (2) if the vote is being conducted with a rejection threshold, the thresholds for approval by county voters (excluding voters in the reorganizing municipalities) and for approval by voters of the reorganizing municipalities may also be set at a higher percentage than a majority vote.)

Date	Action
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01/04/2012	S: <b>Author</b> Added <a href="#">Doug Eckerty</a>
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01/04/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>
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01/04/2012	S: <b>Co Author</b> Added <a href="#">Greg Walker</a>
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01/04/2012	S: <b>Co Author</b> Added <a href="#">Randy Head</a>
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01/18/2012	S: <b>Committee Sched</b> 1:30pm Room 130 <a href="#">Local Government</a>
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**SB0092** *Public access issues.* ([Gard](#))**Digest**

Requires a public agency to: (1) allow inspection or copying; or (2) make copies; of a public record within a reasonable time after the request is received by the agency. Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the public records law or the open door law. Provides that a court may impose a civil penalty of: (1) not more than \$100 for the first violation; and (2) not more than \$500 for any additional violations. Provides that a court may: (1) impose only one civil penalty against an individual in an action even if the court finds that the individual committed multiple violations; and (2) impose another civil penalty against the individual in a separate action. Provides that if an officer of a state or local government agency orders a management level employee to: (1) not give proper notice of a public meeting or

executive session; or (2) deny or interfere with a person's request to inspect or copy a public document; the employee is not subject to a civil penalty for violating the statute. Provides that if a local government agency has the capacity to send electronic mail, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's web site, if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold personal information from public disclosure regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the public records act. If a formal complaint is filed, requires the public access counselor to review public records in camera without redaction (excluding redacted information that is the work product of an attorney and records that the agency is prohibited by law from disclosing) to determine whether the redaction of the records violated the public records act. Provides that unredacted documents that are in the possession of the public access counselor for in camera inspection are confidential while in the possession of the public access counselor. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Beverly J. Gard</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/04/2012	<b>S: 2nd Author</b> Added <a href="#">Jean Leising</a>
01/11/2012	<b>S: Committee Sched</b> Upon Adjournment Room 130 <a href="#">Local Government</a>
01/12/2012	<b>S: Co Author</b> Added <a href="#">Travis Holdman</a>
01/12/2012	<b>S: Co Author</b> Added <a href="#">Patricia L. Miller</a>
01/25/2012	<b>S: Committee Sched</b> 1:30pm Room 431 <a href="#">Local Government</a>

#### **SB0095 Official misconduct. ([Lanane](#))**

#### **Digest**

Specifies that a public servant commits official misconduct if the public servant commits an offense while misusing a power possessed by virtue of state law, or if the public servant commits an offense while appearing to be exercising authority granted by state law that the public servant does not possess. Provides that a law enforcement officer who, knowing that the entry is unlawful, enters the residence of another person without having a reasonable belief that the unlawful entry is necessary to prevent injury or death commits unlawful entry by law enforcement, a Class D felony, and increases the penalty to a Class C felony if it results in serious bodily injury to another person. (The introduced version of this bill was prepared by the Legislative Council Barnes v. State Subcommittee.)

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Tim Lanane</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Corrections, Criminal, and Civil Matters</a>

#### **SB0098 County highway maintenance funding. ([Kenley](#))**

#### **Digest**

Provides that a county may use property taxes and miscellaneous revenue deposited in the county general fund for the maintenance of county highways. (Current law permits property taxes to be used for highway maintenance only in an emergency and by unanimous vote of the county fiscal body, and the county general fund to be used only for county highway department employees' personal services.)

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Howard "Luke" Kenley</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Appropriations</a>
01/19/2012	<b>S: Committee Sched</b> 9:00am Room 431 <a href="#">Appropriations</a>
01/19/2012	<b>S: Committee Report</b> amend do pass, adopted
01/19/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(10-0) Appropriations</a>

#### **SB0103 Public access issues. ([Mrvan](#))**

#### **Digest**

Requires a public agency to: (1) allow inspection or copying; or (2) make copies; of a public record within a reasonable time after the request is received by the agency. Provides that a court may impose a civil penalty against: (1) an officer of a public agency or an individual employed in a management level position with a public agency; or (2) the public agency; for violating the public records law or the open door law. Provides that a court may impose a civil penalty of: (1) not more than \$100 for the first violation; and (2) not more than \$500 for any additional violations. Provides that a court may: (1) impose only one civil penalty against an individual in an action even if the court finds that the individual committed multiple violations; and (2) impose another civil penalty against the individual in a separate action. Provides that if an officer of a state or local government agency orders a management level employee to: (1) not give proper notice of a public meeting or executive session; or (2) deny or interfere with a person's request to inspect or copy a public document; the employee is not subject to a civil penalty for violating the statute. Provides that if a local government agency has the capacity to send electronic mail, the agency shall provide notice to anyone (other than news media) that makes an annual request for notice by: (1) transmitting the notice by electronic mail; or (2) posting the notice on the agency's Internet web site (if the agency has an Internet web site). Provides that a court may not declare a governmental action void for failure to give notice by electronic mail or posting on the local government agency's Internet web site if the agency made a good faith effort to comply with the statute. Provides that a public agency may withhold from public disclosure personal information regarding an individual less than 18 years of age who participates in an activity conducted or supervised by a state educational institution, including personal information regarding the individual's parent or guardian. Requires (rather than allows) a court to review public records in camera to determine whether redaction of the records violates the public records act. If a formal complaint is filed, requires the public access counselor to review public records in camera without redaction (excluding redacted information that is the work product of an attorney and records that the agency is prohibited by law from disclosing) to determine whether the redaction of the records violated the public records act. Provides that unredacted documents that are in the possession of the public access counselor for in camera inspection are confidential while in the possession of the public access counselor. Creates an education fund for a program administered by the public access counselor to train public officials and educate the public on the rights of the public and the responsibilities of public agencies under the public access laws. Provides that a public agency has discretion as to whether to disclose a public record requested by an offender containing personal information relating to a judge, law enforcement officer, or family member of a judge or law enforcement officer. Allows the public access counselor to obtain an administrative subpoena to compel production of public records denied by a public agency if the public access counselor determines that the records were wrongfully withheld.

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Frank Mrvan, Jr.</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0105** *Redevelopment commission members.* ([Boots](#))

### Digest

Provides that after December 31, 2012, in counties other than Marion County, at least one of the members appointed to a redevelopment commission by the municipal executive or county executive must also be a member of the school board of a school corporation within the territory served by the redevelopment commission. (Under current law, the municipal executive or county executive is required to appoint such a person as a nonvoting member.)

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Phil Boots</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Sched</b> 1:30pm Room 130 <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Action</b> <a href="#">Pass(8-0)</a> <a href="#">Local Government</a>
01/19/2012	<b>S: Committee Report</b> do pass, adopted

**SB0109** *Deposit of public funds by local units.* ([Holdman](#))

### Digest

Expands the existing authority of counties and political subdivisions to invest, through a selected local depository institution, in certificates of deposit issued by federally insured banks or savings and loan associations, wherever located, to include the authority to invest in interest bearing transaction accounts of federally insured banks or savings and loan associations, wherever located, through the same procedure and under the same conditions.

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Travis Holdman</a>

01/04/2012 **S: 1st Reading** Assigned [Tax and Fiscal Policy](#)  
 01/10/2012 **S: Committee Sched** 9:00am Room 431 [Tax and Fiscal Policy](#)  
 01/17/2012 **S: Committee Sched** 8:30am Room 431 [Tax and Fiscal Policy](#)  
 01/17/2012 **S: Committee Action** [Pass Amend\(7-0\)](#) [Tax and Fiscal Policy](#)  
 01/19/2012 **S: Committee Report** amend do pass, adopted

**SB0110** *Local government issues.* ([Holdman](#))

## Digest

Provides that in counties other than Marion County, the county executive may adopt an ordinance to change the executive and legislative structure of county government. Provides that such an ordinance to change the structure of county government may be adopted only during an odd-numbered year or before July 1 of an even-numbered year. Specifies that if the ordinance is adopted by a unanimous vote of the entire membership of the county executive, the voters of the county shall not elect a board of county commissioners, but shall instead elect a single county commissioner to serve as the county executive and shall elect a county council that has the legislative and fiscal powers and duties of the county. Specifies that if the ordinance is adopted by less than a unanimous vote of the entire membership of the county executive, a public question shall be held in the county on whether the executive and legislative structure of county government should be changed. Specifies that at least 2% of the voters of a county (other than Marion County) may file a petition with the county auditor to place on the ballot in the county a public question on whether the executive and legislative structure of county government should be changed. Provides that if the public question is approved after it is placed on the ballot either after adoption of an ordinance by less than a unanimous vote of the entire membership of the county executive or after a petition is submitted by the voters, the voters of the county shall not elect a board of county commissioners, but shall instead elect a single county commissioner to serve as the county executive and shall elect a county council that has the legislative and fiscal powers and duties of the county. Provides that in a county with a single county commissioner: (1) the initial single county commissioner is elected in the second general election after the ordinance or (if required) the public question to change the structure of county government is approved; (2) the board of county commissioners is abolished when the first single county commissioner takes office; and (3) the county council shall (except in Lake County or St. Joseph County) be elected from seven single-member districts. Provides that a person is not eligible to serve as the single county commissioner more than eight years in any 12 year period. Provides that if the office of single county commissioner becomes vacant, the county council shall appoint an individual to serve as interim single county commissioner until the office is filled. Provides that in a county that has abolished the board of county commissioners and has elected a single county commissioner, the county council may adopt an ordinance changing the county government structure back to a structure that includes the election of a board of county commissioners (instead of a single county commissioner). Provides that if the ordinance is adopted unanimously, the county government structure is changed back to a structure that includes the election of a board of county commissioners. Provides that if the ordinance is adopted by less than a unanimous vote or if 2% of the voters of the county file a petition, a public question shall be held to determine whether the county government structure shall be changed back to a structure that includes the election of a board of county commissioners. Requires an individual elected as the single county commissioner to complete certain training courses. Provides that an individual who is an incumbent single county commissioner may not be a candidate for that office if the individual has not completed the training courses within the required time. Provides that in the case of a proposed governmental reorganization that is on the ballot after June 30, 2012, under the government modernization statutes, and that involves a county and a municipality, the proposed reorganization is approved if: (1) a majority of the voters in the county voting on the public question (on a countywide basis) vote in favor of the proposed reorganization; and (2) in the case of a vote being conducted with a "rejection threshold", a majority of the voters of the county (excluding the voters of the reorganizing municipalities) voting on the public question vote in favor of the proposed reorganization and a majority of the voters of each reorganizing municipality voting on the public question also vote in favor of the proposed reorganization. (Under current law governing reorganizations involving a county and a municipality: (1) the percentage of the countywide vote that must approve the proposed reorganization may be set at a higher percentage than a majority vote; and (2) if the vote is being conducted with a rejection threshold, the threshold for approval by county voters (excluding voters in the reorganizing municipalities) and for approval by voters of the reorganizing municipalities may also be set at a higher percentage than a majority vote.) Changes population parameters to reflect the population count determined under the 2010 decennial census.

Date	Action
01/04/2012	<b>S: Author</b> Added <a href="#">Travis Holdman</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/11/2012	<b>S: Committee Sched</b> Upon Adjournment Room 130 <a href="#">Local Government</a>
01/11/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(6-3)</a> <a href="#">Local Government</a>
01/19/2012	<b>S: 2nd Reading</b> Amended Order Engrossed
01/19/2012	<b>S: Amendment</b> #1 (Holdman), prevailed;
01/19/2012	<b>S: Amendment</b> #2 (Holdman), prevailed;

01/19/2012 S: **3rd Reading**      Return to 2nd Reading**SB0113** *Golf carts in unincorporated areas.* ([Holdman](#))**Digest**

Revises provisions governing the use of golf carts on certain roadways. Provides that an ordinance authorizing the use of golf carts in a county must: (1) have the approval of the sheriff of the county; (2) require that an individual who operates a golf cart in the county hold a driver's license; (3) provide that a fine assessed for a violation of the ordinance be deposited in the general fund of the county; and (4) provide that a golf cart may cross a highway only at an intersection at which there is a stop sign or a traffic control signal for the oncoming traffic. Specifies that a violation of an ordinance governing the use of a golf cart on a state highway in a county is considered an ordinance violation (instead of a Class C infraction).

<u>Date</u>	<u>Action</u>
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01/04/2012 S: <b>Author</b>	Added <a href="#">Travis Holdman</a>
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01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
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01/24/2012 S: <b>Committee Sched</b>	9:30am Room 130 <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
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**SB0115** *Description of political subdivisions.* ([Landske](#), [Lawson](#), [Arnold](#))**Digest**

Adjusts census numbers in statutes. Changes population parameters in various statutes to reflect the population count determined under the 2010 decennial census. Substitutes names for population parameters in the following types of statutes: (1) Statutes legalizing certain actions of particular political subdivisions. (2) Statutes that have been challenged unsuccessfully as special or local legislation. (3) Statutes reserving certain powers to certain political subdivisions at the time of recodification of laws relating to political subdivisions. Resolves a conflict in the statute that defines the classes of cities to provide that a city becomes a first class city when the city attains a population of 600,000. (The introduced version of this bill was prepared by the census data advisory committee.)

<u>Date</u>	<u>Action</u>
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01/04/2012 S: <b>Author</b>	Added <a href="#">Sue Landske</a>
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01/04/2012 S: <b>Author</b>	Added <a href="#">Connie Lawson</a>
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01/04/2012 S: <b>Author</b>	Added <a href="#">Jim Arnold</a>
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01/04/2012 S: <b>Co Author</b>	Added <a href="#">Tim Lanane</a>
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01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Elections</a>
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01/09/2012 S: <b>Committee Sched</b>	10:00am Room 130 <a href="#">Elections</a>
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01/09/2012 S: <b>Committee Action</b>	<a href="#">Pass(7-0) Elections</a>
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01/19/2012 S: <b>Co Author</b>	Added <a href="#">John Broden</a>
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**SB0123** *Sewer district boards.* ([Leising](#))**Digest**

Requires that the board of trustees of a regional sewer district must be elected. Provides for the transition from an appointed to an elected board.

<u>Date</u>	<u>Action</u>
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01/04/2012 S: <b>Author</b>	Added <a href="#">Jean Leising</a>
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01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Local Government</a>
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**SB0124** *Local government reorganization.* ([Head](#))**Digest**

Eliminates the requirement that a reorganization committee must be appointed to prepare the reorganization plan as part of a proposed local government reorganization. Provides that the legislative bodies of the reorganizing political subdivisions (rather than a reorganization committee) shall prepare the reorganization plan that must be adopted by the legislative bodies before the proposed reorganization is placed on the ballot. Repeals a provision: (1) requiring the consideration of a final reorganization plan; and (2) allowing voters to petition to have the final reorganization plan placed on the ballot; if a reorganization plan is not approved within one year after the reorganization plan is presented.

<u>Date</u>	<u>Action</u>
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01/04/2012 S: **Author** Added [Randy Head](#)  
 01/04/2012 S: **1st Reading** Assigned [Local Government](#)  
 01/18/2012 S: **Committee Sched** 1:30pm Room 130 [Local Government](#)

**SB0135** *Homestead assessed value growth cap.* ([Zakas](#))

**Digest**

Limits the annual increase in assessed value of a homestead to 5% unless: (1) ownership of the homestead changes during the year; or (2) the increase results from physical changes to the homestead.

Date	Action
01/04/2012 S: <b>Author</b>	Added <a href="#">Joseph C. Zakas</a>
01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Appropriations</a>

**SB0136** *Fees for toll road emergency services.* ([Zakas](#))

**Digest**

Provides that a paid or volunteer fire department may impose a service charge on the operator of a toll road project for certain fire or other emergency protection services that the department provides on the project.

Date	Action
01/04/2012 S: <b>Author</b>	Added <a href="#">Joseph C. Zakas</a>
01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Tax and Fiscal Policy</a>
01/05/2012 S: <b>2nd Author</b>	Added <a href="#">Susan Glick</a>
01/05/2012 S: <b>Co Author</b>	Added <a href="#">Frank Mrvan, Jr.</a>
01/05/2012 S: <b>Co Author</b>	Added <a href="#">Carlin Yoder</a>
01/10/2012 S: <b>Committee Sched</b> 9:00am Room 431	<a href="#">Tax and Fiscal Policy</a>
01/10/2012 S: <b>Co Author</b>	Added <a href="#">John Broden</a>

**SB0139** *Public contract for services.* ([Kenley](#))

**Digest**

Requires that a public contract for services between a state agency or political subdivision and a contractor must contain certain requirements concerning the use of the federal electronic employment eligibility verification system (E-Verify) and knowing employment of unauthorized aliens only if one of the following applies: (1) The estimated amount to be paid in a calendar year to the contractor under the contract is more than \$50,000. (2) The estimated amount to be paid in a calendar year to the contractor under the contract is \$50,000 or less, but the contract in combination with other public contracts for services entered into by the contractor with the same state agency or political subdivision results in an estimated total payment in a calendar year by the state agency or political subdivision to the contractor of more than \$50,000. (Current law requires that all public contracts for services between a state agency or political subdivision and a contractor contain certain requirements concerning the use of E-Verify and knowing employment of unauthorized aliens.)

Date	Action
01/04/2012 S: <b>Author</b>	Added <a href="#">Howard "Luke" Kenley</a>
01/04/2012 S: <b>1st Reading</b>	Assigned <a href="#">Pensions and Labor</a>

**SB0142** *Property tax issues.* ([Kenley](#))

**Digest**

Provides that the department of local government finance (DLGF) shall (rather than may) adopt rules for assessors to use in gathering and processing information for the application of the income capitalization and gross rent multiplier assessment methods. Provides that the rules adopted by the DLGF must specify: (1) the information that must be provided by a taxpayer that wishes to have or is required to have the taxpayer's property assessed through use of the income capitalization method or the gross rent multiplier method; and (2) the deadline for a taxpayer to provide the information. Provides that a taxpayer filing a notice requesting a county property tax assessment board of appeals (county board) to review an assessment or deduction must pay to the county or township official with whom the notice is filed a filing fee of \$50. Specifies that a taxpayer is not required to pay the filing fee if the review concerns the taxpayer's homestead and the taxpayer will represent himself or herself before the county board. Provides that the filing fee shall be refunded to the taxpayer if: (1) the taxpayer and the assessing official resolve the issues in the review; (2) the county board gives notice of its determination; or (3) the maximum time elapses for

the county board to hold a hearing or to give notice of its determination and the taxpayer initiates a proceeding for review before the Indiana board of tax review (Indiana board). Specifies that a power of attorney that is executed by a taxpayer and is filed by a tax representative with the county board or the Indiana board in a proceeding under the property tax assessment appeals statutes or as part of a notice or petition requesting a review of an assessment is not valid unless the power of attorney has a duration of not more than two years. Specifies that if a taxpayer is entitled to a property tax refund or credit because an assessment is decreased after a determination of the Indiana board or the Indiana tax court (tax court), the Indiana board or the tax court may waive any interest that the taxpayer would otherwise be entitled to receive, if: (1) during the proceedings of the Indiana board or the tax court the taxpayer introduces evidence that had not been introduced at a hearing before the county board; and (2) the determination of the Indiana board or the tax court is based in whole or in part on that evidence.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Howard "Luke" Kenley</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Appropriations</a>
01/19/2012	<b>S: Committee Sched</b> 9:00am Room 431 <a href="#">Appropriations</a>
01/19/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(11-0) Appropriations</a>
01/20/2012	<b>S: 2nd Author</b> Added <a href="#">Brandt Hershman</a>

**SB0147** *Local government financial matters.* ([Holdman](#))

### Digest

Removes the requirement that a political subdivision deposit public funds in a depository that is located within the territorial limits of the political subdivision. Specifies that a county may provide notices of property tax information by electronic mail that provides an Internet link for the recipient to obtain the information. Requires the county treasurer to record whether electronic mail to a person was undeliverable. Specifies that a monthly payment plan may include an automatic monthly deduction from a taxpayer's financial institution account or monthly payments made by written instrument or electronically. Specifies that the payment cycle for a property tax payment plan may be up to 12 months and may begin in December of the year preceding the year the taxes would be due under the May and November installment method and end in the following November. Clarifies that penalties do not apply if the amount due under a monthly payment plan are paid by the due date in May or November that is designated by the taxpayer. Provides that a real property parcel is not to be listed on a tax sale notice if the delinquent property taxes are \$25 or less. Provides that the interest rate owed on property tax refunds is a rate set annually by the board for depositories based on the interest rate being earned by local governments for deposits in interest bearing transaction accounts. Requires county treasurers to attend training sessions approved by the state board of accounts. Provides that money in the county elected officials training fund may be used to provide this training. (Under current law, the fund is used to provide training to county recorders and surveyors.)

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Travis Holdman</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>
01/17/2012	<b>S: Committee Sched</b> 8:30am Room 431 <a href="#">Tax and Fiscal Policy</a>
01/17/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(8-0) Tax and Fiscal Policy</a>
01/19/2012	<b>S: Committee Report</b> amend do pass, adopted

**SB0150** *County excise surtax and wheel tax.* ([Boots](#))

### Digest

Permits a county income tax council to adopt, increase, decrease, or rescind a motor vehicle excise surtax and a wheel tax for a county.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Phil Boots</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0160** *Local funds.*

### Digest

Specifies that money in certain county funds may be paid from those funds only upon appropriation by the county fiscal body. (Current law governing those funds allows money to be paid or distributed from the funds without appropriation.) Provides that money in the county supplemental juvenile probation services fund shall be appropriated by the county fiscal body only for the use by the courts in providing probation services to juveniles and to pay part or all of the salaries of juvenile probation officers. (Under current law, money in the fund may be appropriated only for supplementing those services and for supplementing those salaries.) Specifies that the county fiscal body determines the

amount of any appropriations made from the fund. Repeals a provision specifying that the fund may not be used to replace other funding or probation services. Provides that money in the county supplemental adult probation services fund or the local supplemental adult probation services fund may be used only to provide probation services and to pay part or all of the salaries for probation officers. (Under current law, money in the fund may be appropriated only for supplementing those services and supplementing those salaries.) Specifies that the county fiscal body determines the amount of any appropriations made from the county supplemental adult probation services fund, and the city or town fiscal body determines the amount of any appropriations made from the local supplemental adult probation services fund. Repeals a provision specifying that administrative fees deposited into a county or local supplemental probation services fund may be used only to pay for salary increases required under the probation officers salary schedule that became effective January 1, 2004. Requires the county sheriff to provide monthly a copy of the receipts and disbursements from the commissary fund to the county fiscal body. (Current law requires this reporting to be done semiannually.)

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0169** *Municipal plates for fire protection territories.* ([Hume](#))

**Digest**

Adds fire protection territories to the list of governmental entities that are exempt from the payment of registration fees for vehicles owned or leased and used for official business by the governmental entity. Exempts fire protection territories from the payment of: (1) motor vehicle excise tax; (2) excise tax on recreational vehicles and truck campers; and (3) commercial vehicle excise tax; on vehicles owned or leased and used for official business by a fire protection territory.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Lindel O. Hume</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
01/05/2012	<b>S: Co Author</b> Added <a href="#">Johnny Nugent</a>
01/05/2012	<b>S: Co Author</b> Added <a href="#">Jim Tomes</a>
01/10/2012	<b>S: Co Author</b> Removed <a href="#">Johnny Nugent</a>
01/10/2012	<b>S: 2nd Author</b> Added <a href="#">Johnny Nugent</a>

**SB0170** *Nepotism; conflict of interest.* ([Lawson](#))

**Digest**

Specifies that the following are not lucrative offices: (1) Notary public. (2) Membership on a board administered by the professional licensing agency. Provides that an employee of a county, city, town, or township (unit) is considered to have resigned from employment with the unit if the employee assumes the elected executive office of the unit or becomes an elected member of the unit's legislative or fiscal body. Provides that an individual who is serving as a volunteer firefighter may not: (1) assume the office of executive of the unit; or (2) become a member of the executive, legislative, or fiscal body of the unit; that oversees the budget and operations of the fire department in which the volunteer firefighter serves. Specifies that an elected officer may also be appointed to and serve on a board, commission, or committee of the unit. Provides that the restriction does not prohibit an employee or volunteer firefighter from holding an elected office of another unit. Allows an employee or a volunteer firefighter who assumes or holds an elected office on January 1, 2013, to continue to hold the office and be employed by the unit or serve as a volunteer firefighter until the expiration of the term of office. Provides that relatives may not be employed by a unit in positions that result in one relative being in the direct line of supervision of the other relative. Provides that an individual who is employed by a unit on July 1, 2012, is not subject to the provisions regarding nepotism unless the individual has a break in employment with the unit. Provides that for purposes of the nepotism law, the performance of the duties of a precinct election officer or a volunteer firefighter is not considered employment by a unit. Provides that an individual who is employed by a unit on the date the individual's relative begins serving a term of an elected office of the unit: (1) may remain employed by the unit and maintain the individual's position or rank even if the individual would be in the direct line of supervision of the individual's relative; and (2) may not be promoted to a position or, in the case of an individual who is a member of a merit police department or merit fire department, promoted to a position that is not within the merit ranks, if the new position would place the individual in the direct line of supervision of the individual's relative. Makes the following additional exceptions: (1) Allows a township trustee whose office is located in the trustee's personal residence to employ only one relative to work in the township trustee's office and be in the trustee's line of supervision. (2) Allows a coroner who is ineligible for another term of office due to term limits to be hired by the coroner's successor, even though the successor is a relative and will result in the coroner working in the successor's direct line of supervision. (3) Allows a sheriff to hire the sheriff's spouse as prison matron for the county and work in the sheriff's direct line of supervision. Limits the total compensation of the township trustee's employed relative to \$5,000 per year. Provides that provisions concerning nepotism apply to a

person who is a party to an employment contract with a unit. Requires a unit to implement a policy that complies with the nepotism law and contracting law. Requires each elected official of the unit to annually certify in writing, subject to the penalties for perjury, that the official is in compliance with the nepotism and contracting law and to submit the certification to the executive of the local unit. Requires the executive of the local unit to file with the annual personnel report filed with the state board of accounts a statement regarding whether the unit has implemented a policy that complies with the nepotism law and contracting law. Provides that a unit can enter into or renew: (1) a contract for the procurement of goods and services; or (2) a contract for public works; with a relative of an elected official or a business entity in which a relative has an ownership interest if the elected official does not violate the criminal conflict of interest statute and the elected official makes full, written disclosure and satisfies any other requirements of the public purchasing law or the public works law.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Connie Lawson</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/04/2012	<b>S: 2nd Author</b> Added <a href="#">Ed Charbonneau</a>
01/04/2012	<b>S: Co Author</b> Added <a href="#">Richard D. Young, Jr.</a>
01/11/2012	<b>S: Committee Sched</b> Upon Adjournment Room 130 <a href="#">Local Government</a>
01/11/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(9-0) Local Government</a>
01/19/2012	<b>S: Co Author</b> Added <a href="#">James W. Merritt, Jr.</a>

**SB0172** *Hazardous waste disposal tax.* ([Lawson](#), [Baird](#))

### Digest

Authorizes a county to use a part of its hazardous waste disposal tax revenue to pay costs associated with the maintenance or repair of county roads. Provides that any annual expenditures for county roads may not exceed 10% of the balance of the county's separate fund for the deposit of hazardous waste disposal taxes as of January 1 of the calendar year in which the expenditures are made.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Connie Lawson</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>
01/10/2012	<b>S: Committee Sched</b> 9:00am Room 431 <a href="#">Tax and Fiscal Policy</a>
01/10/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(11-0) Tax and Fiscal Policy</a>
01/19/2012	<b>S: 3rd Reading</b> <a href="#">Pass (48-0)</a>
01/19/2012	<b>S: Referred</b> Referred to the House
01/19/2012	<b>S: Sponsor</b> Added <a href="#">Jim Baird</a>
01/19/2012	<b>S: Co Author</b> Added <a href="#">John Broden</a>

**SB0174** *Local government reorganization.* ([Lawson](#))

### Digest

Requires that the plan prepared by a reorganization committee under the government reorganization statutes must include a fiscal impact analysis. Specifies the required contents of the fiscal impact analysis. Provides that the fiscal impact analysis must specify any estimated effects on political subdivisions in the county that are not participating in the reorganization and on taxpayers located in those political subdivisions. Requires a reorganization committee to submit the fiscal impact analysis to the department of local government finance (DLGF) at least six months before the election in which the public question will be on the ballot. Requires the DLGF to do the following within a reasonable time, but not later than 30 days before the public question: (1) Review the fiscal impact analysis. (2) Make any comments concerning the fiscal impact analysis that the DLGF considers appropriate. (3) Provide comments to the legislative body of the reorganizing political subdivisions and post the comments on the DLGF's Internet web site. Requires the reorganizing political subdivisions to pay the expenses incurred by the DLGF in carrying out the review and preparing the comments. Requires that a brief description of the reorganized political subdivision that will succeed the reorganizing political subdivisions must be placed on the ballot of the public question. Provides that if the county election board approves the language of a public question after June 30, 2012, the county election board shall submit the language to the DLGF for review. Requires the DLGF to review the language of the public question to: (1) evaluate whether the description of the reorganized political subdivision is accurate and not biased; and (2) make nonbinding recommendations to the county election board regarding the ballot language. Requires the county election board to take final action to approve the ballot language. Provides that certification of a public question on a proposed local government reorganization must occur as required for other public questions under the election law. Provides that in the case of a proposed reorganization between a municipality and a township: (1) the voters residing within the municipality shall be included only in the tally of votes for the municipality and shall not be included in the tally of votes for the township; and (2) the voters who reside within

the township but do not reside within the municipality shall be included only in the tally of votes for the township and shall not be included in the tally of votes for the municipality. Provides that if a political subdivision is located in whole or in part within one or more other political subdivisions that reorganize and the first political subdivision does not participate in or does not approve the reorganization: (1) the reorganization does not affect the rights, powers, and duties of the first political subdivision; and (2) the reorganized political subdivision may not exercise within the first political subdivision any right, power, or duty unless that right, power, or duty was exercised within the first political subdivision before the reorganization by at least one of the reorganizing political subdivisions. Provides that a plan of reorganization may establish within a reorganized political subdivision territories or districts: (1) in which specified services provided by the reorganized political subdivision will be provided at different levels, quantities, or amounts; and (2) in which the fees, charges, or taxes imposed by the reorganized political subdivision will vary depending on the level, quantity, or amount of the services. Specifies that a reorganized political subdivision must continue to carry out the duties imposed by Indiana law on the reorganizing political subdivisions that combined to form the reorganized political subdivision. Specifies that a reorganized political subdivision created from two or more townships and at least one municipality that have reorganized: (1) may exercise park and recreation powers and establish a park and recreation board if the reorganized political subdivision's plan of reorganization authorizes the reorganized political subdivision to exercise those powers; and (2) may exercise planning and zoning power if the reorganized political subdivision's plan of reorganization authorizes the reorganized political subdivision to exercise those powers. Provides that such a reorganized political subdivision shall, by resolution or in the plan of reorganization, determine the number of members to be appointed to the reorganized political subdivision's park and recreation board, advisory plan commission, and board of zoning appeals. Provides that a political subdivision may not take certain actions within a reorganizing political subdivision after the date a plan of reorganization is finally adopted by all reorganizing political subdivisions unless one of the following occurs: (1) All reorganizing political subdivisions agree to allow the action by adopting identical resolutions. (2) The plan is rejected by voters in a referendum. (3) The plan is approved by voters and the earlier of the following occurs: (A) The plan is implemented. (B) One year elapses from the date the plan has been approved. Requires a town legislative body to adopt a resolution not later than 30 days after a petition is filed for a referendum on changing the town into a city. Provides that the date of the referendum must not be later than the earlier of the date of the next general election or the date of the next municipal election, at which a question may be placed on the ballot. Requires the first election of city officers to be held on the earlier of the date of the next general election or a municipal election following the date of the referendum.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Connie Lawson</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Sched</b> 1:30pm Room 130 <a href="#">Local Government</a>
01/18/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(8-0)</a> <a href="#">Local Government</a>
01/19/2012	<b>S: Committee Report</b> amend do pass, adopted

**SB0191** *Local government investments.* ([Charbonneau](#), [Soliday](#))

### Digest

Permits a political subdivision to authorize its investing officer to invest public funds for a maximum term of five years. (Under current law, the maximum term is generally two years.) Requires the fiscal body of the political subdivision to approve a written investment policy and adopt an ordinance to provide this authority. Provides that the authority expires on the date that the term of any member ends, excluding a vacancy, for the fiscal body that adopted the policy and ordinance. Limits the amount that may be invested for more than two years to 25% of the political subdivision's total portfolio of public fund investments, including transaction accounts.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">Ed Charbonneau</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/11/2012	<b>S: Committee Sched</b> Upon Adjournment Room 130 <a href="#">Local Government</a>
01/11/2012	<b>S: Committee Action</b> <a href="#">Pass Amend(9-0)</a> <a href="#">Local Government</a>
01/19/2012	<b>S: 3rd Reading</b> <a href="#">Pass (48-0)</a>
01/19/2012	<b>S: Referred</b> Referred to the House
01/19/2012	<b>S: Sponsor</b> Added <a href="#">Edmond Soliday</a>
01/19/2012	<b>S: Co Sponsor</b> Added <a href="#">Charles Moseley</a>

**SB0193** *Financial disclosures by local elected officials.* ([Lawson](#), [Arnold](#), [Dermody](#))

### Digest

Requires a candidate for a local or school board office to file a statement of economic interests with the candidate's declaration of candidacy,

petition of nomination, declaration of intent to be a write-in candidate, or certificate of candidate selection. Requires an individual who fills a vacancy in an elected local or school board office to file a statement of economic interests not later than 60 days after the individual assumes the office.

<b>Date</b>	<b>Action</b>	
01/04/2012	S: Author	Added <a href="#">Connie Lawson</a>
01/04/2012	S: Author	Added <a href="#">Jim Arnold</a>
01/04/2012	S: 1st Reading	Assigned <a href="#">Elections</a>
01/04/2012	S: Co Author	Added <a href="#">Sue Landske</a>
01/04/2012	S: Co Author	Added <a href="#">Ed Charbonneau</a>
01/04/2012	S: Co Author	Added <a href="#">Lonnie Randolph</a>
01/09/2012	S: Committee Sched	10:00am Room 130 <a href="#">Elections</a>
01/09/2012	S: Committee Action	Pass(8-0) <a href="#">Elections</a>
01/19/2012	S: 3rd Reading	Pass (48-0)
01/19/2012	S: Referred	Referred to the House
01/19/2012	S: Sponsor	Added <a href="#">Tom Dermody</a>
01/19/2012	S: Co Sponsor	Added <a href="#">Chester F. Dobis</a>

**SB0210** *Solid waste management district matters.* ([Gard](#))

**Digest**

Eliminates the authority of a solid waste management district (SWMD) to impose property taxes, except to pay currently outstanding bonds or to pay bonds issued to refund the outstanding bonds. Provides that if a county withdraws from a joint SWMD or has designated itself as a county SWMD, the county may adopt an ordinance specifying that the county may not be part of a joint SWMD and may not be designated as a county SWMD. (Current law requires that a county must either be a member of a joint SWMD or to designate itself as a county SWMD.) Provides that a county adopting such an ordinance is not subject to the SWMD statutes and is not a SWMD or part of a joint SWMD. Specifies that a county adopting such an ordinance remains responsible for obligations incurred before the county left the SWMD (in the case of a county that was part of a joint SWMD) or before the county terminated the county SWMD (in the case of a county that had designated itself as a county SWMD). Requires districts to: (1) implement minimum educational standards established by the department of environmental management; and (2) report programmatic and financial information to the legislative council and the department of environmental management. Requires the general assembly to evaluate the continued existence of SWMDs every 10 years. Provides that districts may not require a person to obtain a permit before the person may engage in an activity.

<b>Date</b>	<b>Action</b>	
01/04/2012	S: Author	Added <a href="#">Beverly J. Gard</a>
01/04/2012	S: 1st Reading	Assigned <a href="#">Appropriations</a>
01/12/2012	S: Committee Sched	8:00am Room 431 <a href="#">Appropriations</a>
01/19/2012	S: Committee Sched	9:00am Room 431 <a href="#">Appropriations</a>

**SB0212** *Utility facility relocation.* ([Gard](#))

**Digest**

Authorizes a unit of local government to enter into an agreement with a utility concerning the relocation of the utility's facilities for a major project undertaken by the local unit. Requires that the agreement must include a date for relocation, a damages provision, and a force majeure clause. Requires a utility to provide a unit contact information for the utility's authorized representative. Specifies that a unit that is responsible for relocation costs may pay the costs in arrears in accordance with the procedures of the state board of accounts.

<b>Date</b>	<b>Action</b>	
01/04/2012	S: Author	Added <a href="#">Beverly J. Gard</a>
01/04/2012	S: 1st Reading	Assigned <a href="#">Utilities &amp; Technology</a>
01/19/2012	S: Committee Sched	9:00am Room 233 <a href="#">Utilities &amp; Technology</a>
01/19/2012	S: Committee Report	amend do pass, adopted
01/19/2012	S: Committee Action	Pass Amend(9-0) <a href="#">Utilities &amp; Technology</a>

**SB0217** *Local road funding and sales tax.* ([Skinner](#))

**Digest**

Provides that 0.67% of state sales tax revenue shall be distributed to counties, cities, and towns (rather than the state general fund) based on the counties', cities', and towns' proportionate share of local road and street mileage. Specifies that amounts distributed in this manner may be used by counties, cities, and towns for the same purposes for which money from the local road and street account may be used.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>S: Author</b> Added <a href="#">Timothy D. Skinner</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>

**SB0219 Highway revolving loan fund. (Skinner)**

**Digest**

Establishes the highway revolving loan fund to provide loans to counties and municipalities for certain construction projects. Provides that the Indiana department of transportation shall administer the fund. Appropriates \$1.5 million to the fund.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>S: Author</b> Added <a href="#">Timothy D. Skinner</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Appropriations</a>

**SB0222 Annexation. (Buck)**

**Digest**

Provides that in determining a municipality's levy limits for a particular ensuing calendar year, the cap on increased assessed value applies to all annexations of a municipality occurring in the particular ensuing calendar year. Provides that after June 30, 2012, an annexation may be defeated without showing at the hearing that: (1) at least 65% of the owners of land in the annexation territory continue to oppose the annexation; or (2) the owners of more than 75% in assessed valuation of the land in the annexation territory continue to oppose the annexation. Provides that after June 30, 2012, in an annexation in which 80% of the boundary of the annexation territory is contiguous to the municipality and the territory consists of not more than 100 parcels, an annexation may be defeated without showing at the hearing that at least 75% of the owners of land in the annexation territory continue to oppose the annexation.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>S: Author</b> Added <a href="#">James Buck</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0241 Public works projects. (Walker)**

**Digest**

Provides that the plans, specifications, and contract documents for a public works project may not require bidders, contractors, or subcontractors to enter into or comply with certain agreements with labor organizations. Provides a cause of action to challenge the award of a contract that violates these provisions.

<u>Date</u>	<u>Action</u>
01/04/2012	<b>S: Author</b> Added <a href="#">Greg Walker</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Pensions and Labor</a>

**SB0254 Township government. (Glick)**

**Digest**

Provides that if a township trustee does not: (1) accept a completed application for township assistance; or (2) grant or deny a completed application for township assistance within the period required by statute; the application is considered denied, and the denial may be appealed to the board of county commissioners. Provides that after December 31, 2014, the total compensation and benefits paid to a township board member may not exceed \$5,000 per year. Specifies that each township office must include the address and telephone number of the township office in at least one local telephone directory. Requires all township trustees (instead of only certain trustees) to maintain voicemail or a telephone answering machine or service and respond to a telephone inquiry for township assistance services not more than 24 hours, excluding Saturdays, Sundays, and legal holidays, after receiving the inquiry. Requires that a public meeting or a public hearing of a township legislative body must be held in a public building or other public place if one is available in the township. Specifies that the annual report of a township must be filed with the state examiner not later than March 1 of each fiscal year. Requires the township board to adopt the township's standards

for the issuance of township assistance not later than March 31 of each calendar year. Provides that if the township board fails to adopt township standards for the two calendar years preceding the ensuing calendar year: (1) the department of local government finance may not approve the township budget and levy; and (2) the township board members may not receive any salary until the standards for the ensuing calendar year are adopted. Provides that if the township board adopts standards and the township trustee fails to file the township standards with the board of county commissioners for the two years preceding the ensuing calendar year: (1) the department of local government finance may not approve the township's budget and levy; and (2) the township trustee may not receive any salary until the standards are filed with the board of county commissioners. Provides that a township trustee may receive rental payments from the township for use of office space located in the trustee's private residence if the space is used for conducting official township business. Provides that a trustee may not receive rental payments for office space in the executive's personal residence at a square footage rate that exceeds the average square footage rate charged for comparable commercial office space. Requires the township trustee in the annual report to compare the square footage rate charged by the executive for rent of the office space in the executive's residence with the average square footage rate charged for comparable commercial office space in: (1) the township; or (2) the county seat of the county where the township is primarily located, if comparable commercial office space is not available in the township. Provides that beginning January 1, 2015, in a township that has a population of at least 25,000, an individual who: (1) makes \$10,000 or more annual salary from the township; and (2) is an immediate family member of an officer or employee of a township; may not be employed by the township in a position in which the individual would have a direct supervisory or subordinate relationship with the officer or employee who is the individual's immediate family member. Provides that an employee of a township that violates the nepotism provision does not have to be terminated from any position held by that individual before January 1, 2012.

Date	Action
01/04/2012	S: <b>Author</b> Added <a href="#">Susan Glick</a>
01/04/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0255** *Various homeland security matters.* ([Wyss](#), [Arnold](#))

### Digest

Provides that local emergency planning funds withheld by the state emergency response commission are appropriated to the commission for purposes related to hazardous materials. Authorizes the executive director of the department of homeland security (executive director) to grant variances to rules governing the state disaster relief fund. Provides that certain powers and duties concerning radiation and radiation control are shared by the state department of health and the executive director. Makes conforming amendments.

Date	Action
01/04/2012	S: <b>Author</b> Added <a href="#">Jim Arnold</a>
01/04/2012	S: <b>Author</b> Added <a href="#">Thomas J. Wyss</a>
01/04/2012	S: <b>1st Reading</b> Assigned <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
01/10/2012	S: <b>Committee Sched</b> 10:00am Room 233 <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
01/10/2012	S: <b>Committee Action</b> <a href="#">Pass Amend(7-0) Homeland Security, Transportation and Veterans Affairs</a>
01/19/2012	S: <b>3rd Reading</b> Return to 2nd Reading

**SB0276** *Tax sales and abandoned property.* ([Merritt](#))

### Digest

Allows a county, city other than a consolidated city, or town unit to operate a land bank. Provides that a unit may adopt an ordinance designating an official, a department, or an instrumentality of the unit as the manager of land bank operations for the unit. Requires a consolidated city to operate a land bank. Provides that the manager of land bank operations for a consolidated city is a nonprofit corporation organized by the county executive. Specifies that the territory of a county land bank is all the territory of the county except for the territories of cities and towns in the county. Specifies that the territory of a consolidated city's land bank is all the territory of the county in which the consolidated city is located except for the territory of the county's excluded cities. Provides that: (1) abandoned or vacant real property on which delinquent real property taxes are owed; and (2) real property on which delinquent real property taxes are owed that has been offered for sale unsuccessfully; are transferred to the land bank in which the real property is located, if any. Provides that the period of redemption in current law for real property sold in a tax sale is shortened from one year to six months following the date of sale. Requires the fiscal body of a county, city, or town that operates a land bank to appropriate to the land bank revenue from property taxes collected on real property disposed of by the land bank for three years following the year in which the land bank disposes of the real property, in the case of a consolidated city or a county, city, or town if the fiscal body of the county, city, or town has made an election to do so. Requires a consolidated city to appropriate money in the consolidated city's unsafe building fund that is not needed for executing the unsafe building law to the consolidated city's land bank. Repeals the definition of "substantial property interest of public record" to relocate the definition to a new chapter. Makes a technical correction.

<b>Date</b>	<b>Action</b>
01/04/2012	<b>S: Author</b> Added <a href="#">James W. Merritt, Jr.</a>
01/04/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/09/2012	<b>S: 2nd Author</b> Added <a href="#">Travis Holdman</a>

**SB0285 *Review of local government budgets.* ([Lawson](#))**

### Digest

Requires all civil taxing units subject to nonbinding review to file the information required for the nonbinding review with the county fiscal body on or before September 1 of each year. Requires a county fiscal body to complete the reviews and issue nonbinding recommendations on or before October 1 of each year. Requires a taxing unit that is subject to binding review to submit its budget and levies for final approval on or before September 1 of each year. Requires a taxing unit submitting its budget and tax levies for either nonbinding review or final approval to also submit to the reviewing body a copy of the notice of budget estimates and tax levies published by the taxing unit. Provides that a political subdivision that is required to submit its proposed budget and property tax levy for final approval may make an additional appropriation only if the additional appropriation is also approved by the body that approved the political subdivision's proposed budget and property tax levy. Authorizes the department of local government finance (DLGF) to establish a pilot program concerning nonbinding review of budgets, property tax rates, and property tax levies. Provides that for a county to be eligible for designation as a pilot county, the county fiscal body must adopt a resolution and submit an application to the DLGF. Allows the DLGF to designate not more than three counties as pilot counties. Specifies that the following apply in 2013 and thereafter in a pilot county: (1) Each taxing unit in the pilot county must file with the DLGF the taxing unit's proposed budgets, property tax rates, and property tax levies. (2) When formulating the taxing unit's estimated budget, property tax rate, and property tax levy, each taxing unit shall consider estimated consequences of the circuit breaker property tax credits. (3) The DLGF shall prepare an analysis of the proposed budgets, property tax rates, and property tax levies submitted by taxing units in the pilot county and provide the analysis to the county fiscal body and to the fiscal body of each taxing unit in the pilot county. (4) Upon request by the county fiscal body, representatives of the DLGF shall appear before the county fiscal body to review the analysis. (5) The county fiscal body shall review the proposed budgets, property tax rates, and property tax levies of each taxing unit in the county and the total tax rate of each taxing district in the county, and shall issue a nonbinding recommendation to each taxing unit.

<b>Date</b>	<b>Action</b>
01/05/2012	<b>S: Author</b> Added <a href="#">Connie Lawson</a>
01/05/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>
01/25/2012	<b>S: Committee Sched</b> 1:30pm Room 431 <a href="#">Local Government</a>

**SB0294 *Public records and public meetings.* ([Holdman](#))**

### Digest

Provides that an officer or management level employee of a public agency who knowingly or intentionally violates the open door law by: (1) taking final action outside a regular meeting or special meeting; (2) participating in a secret ballot during a meeting; (3) discussing in an executive session subjects that are not eligible for an executive session; or (4) participating in at least one meeting of a series of meetings prohibited by law; commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally denies a request for a public record that the officer or management level employee knows or reasonably should know is subject to disclosure under the open records act commits a Class C infraction and is personally liable for the judgment and costs. Provides that an officer or management level employee of a public agency who intentionally charges an excessive copying fee commits a Class C infraction and is personally liable for the judgment and costs. Prohibits a public agency from charging a fee for a public record transmitted by electronic mail except for a: (1) fee charged for reprogramming a computer system if the reprogramming is required to separate disclosable information from nondisclosable information; (2) certification or search fee set by statute or ordered by a court; or (3) fee charged for providing an electronic map.

<b>Date</b>	<b>Action</b>
01/05/2012	<b>S: Author</b> Added <a href="#">Travis Holdman</a>
01/05/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0295 *Local unit employee health insurance.* ([Holdman](#))**

### Digest

Requires a contracted, elected, or appointed public employee of a local unit to weekly submit an accounting of the number of hours the employee spent performing public employer business as a condition of the employee's eligibility for group health insurance.

Date	Action
01/05/2012	S: <b>Author</b> Added <a href="#">Travis Holdman</a>
01/05/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0301** *Extra heavy duty highways.* ([Charbonneau](#))

### Digest

Authorizes the department of transportation (INDOT) to adopt rules to establish and designate a highway as an extra heavy duty highway. (Under current law, extra heavy duty highways are designated by statute.) Requires INDOT to include in the rules: (1) highways designated by statute as extra heavy duty highways; and (2) statutory size and weight limits. Provides that statutory extra heavy duty highway designations and size and weight limits expire on the later of the date on which INDOT's rules are finally adopted or December 31, 2014.

Date	Action
01/05/2012	S: <b>Author</b> Added <a href="#">Ed Charbonneau</a>
01/05/2012	S: <b>1st Reading</b> Assigned <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
01/17/2012	S: <b>Committee Sched</b> 10:00am Room 233 <a href="#">Homeland Security, Transportation and Veterans Affairs</a>
01/17/2012	S: <b>Committee Action</b> <a href="#">Pass(6-1) Homeland Security, Transportation and Veterans Affairs</a>
01/19/2012	S: <b>Committee Report</b> do pass, adopted

**SB0307** *Fire protection territories.* ([Hershman](#))

### Digest

Codifies and makes permanent certain additional public hearing and information requirements that must be satisfied before the legislative body of a local unit can adopt an ordinance or a resolution to form a fire protection territory. (These additional requirements were enacted in P.L.172-2011, but under current law they are temporary and will expire on June 30, 2012.) Repeals the temporary provision.

Date	Action
01/05/2012	S: <b>Author</b> Added <a href="#">Brandt Hershman</a>
01/05/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>
01/25/2012	S: <b>Committee Sched</b> 1:30pm Room 431 <a href="#">Local Government</a>

**SB0309** *Local purchasing and public works preferences.* ([Paul](#), [Hershman](#))

### Digest

Provides that the local Indiana business preference applies to a contract for a purchase made by a political subdivision only if the political subdivision provides that the preference is applicable to the purchase. Provides that the term "affected county" refers only to an Indiana county. Repeals the local Indiana business preference for public works projects.

Date	Action
01/05/2012	S: <b>Author</b> Added <a href="#">Brandt Hershman</a>
01/05/2012	S: <b>Author</b> Added <a href="#">Allen E. Paul</a>
01/05/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>
01/25/2012	S: <b>Committee Sched</b> 1:30pm Room 431 <a href="#">Local Government</a>

**SB0328** *Consolidated law enforcement department.* ([Merritt](#))

### Digest

Specifies that the consolidated law enforcement department in a consolidated city is a division of the department of public safety.

Date	Action
01/09/2012	S: <b>Author</b> Added <a href="#">James W. Merritt, Jr.</a>
01/09/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0343** *Executive session regarding real estate.* ([Brodén](#))

### Digest

Provides that a governing body may conduct an executive session to discuss strategy with respect to: (1) the sale of real property; or (2) the lease of property, as lessor or lessee.

Date	Action
01/09/2012	S: <b>Author</b> Added <a href="#">John Broden</a>
01/09/2012	S: <b>1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0345 Statewide 911 system. ([Hershman](#))**

**Digest**

Provides for the expiration on July 1, 2016, of provisions that: (1) establish a public safety communications system and computer facilities district in a county having a consolidated city; and (2) allow certain other counties to establish a public safety communications systems district. Provides for transitional provisions to ensure that all obligations incurred by a district before July 1, 2016, are satisfied according to their terms. Repeals the statutes concerning: (1) the emergency telephone system fee (assessed by counties or municipalities for enhanced 911 service for users of wireline telephone service); (2) enhanced wireless emergency telephone service (and the accompanying fee assessed statewide on users of wireless service to provide for enhanced 911 service); and (3) emergency telephone notification systems. In place of the systems established under these repealed and expired statutes, establishes a statewide 911 system. Establishes the 11 member statewide 911 board (board) to administer the new system. Provides that the treasurer of state serves as the chair of the board. Establishes the statewide 911 fund (fund). Appropriates money in the fund. Provides that the board shall administer the fund. Requires the board to impose a statewide 911 fee (fee) on each standard user of communications service in Indiana. Requires communications service providers to collect the fee as part of the monthly billing process. Requires the board to deposit the fees collected into the fund. Prohibits a state agency or a local governmental unit from imposing any additional fee relating to the provision of 911 service. Specifies the manner in which the board must distribute money from the fund to public safety answering points (PSAPs). Specifies the permissible uses of funds distributed to a PSAP. Allows a county to establish an emergency notification system. Requires a communications service provider to provide to a PSAP the necessary user data to enable the PSAP to implement and operate a 911 system. Provides that proprietary information submitted to the board is confidential. Retains those provisions from the repealed statute concerning enhanced wireless emergency telephone service that provided that after June 30, 2014, a county may not contain more than one PSAP. Specifies that funds remaining in: (1) the wireless emergency telephone system fund; (2) a county wireless emergency telephone system fund; or (3) a county or municipal wireline emergency telephone system fund; on July 1, 2012, are transferred to the statewide 911 fund. Makes conforming amendments.

Date	Action
01/09/2012	S: <b>Author</b> Added <a href="#">Brandt Hershman</a>
01/09/2012	S: <b>1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>
01/24/2012	S: <b>Committee Sched</b> 8:30am Room 431 <a href="#">Tax and Fiscal Policy</a>

**SB0352 Redevelopment commissions and authorities. ([Walker](#))**

**Digest**

Specifies that a redevelopment commission, a department of redevelopment, and a redevelopment authority are subject to audit by the state board of accounts and covered by the public meeting, public records, and public works laws. Prohibits a redevelopment commission, authority, or department, or a designee holding company from owning, leasing, or holding a single family dwelling or condominium unit. Provides that if a redevelopment commission member or advisor or a redevelopment authority board member owns, directly or indirectly, more than 10% of a business entity, the individual is considered an owner of that business entity for purpose of determining whether the member or advisor has a pecuniary interest in a proposed contract, employment, purchase, or sale. Provides that if a private business entity specifically proposes a capital improvement that the business entity will benefit from after completion, and financing by a redevelopment commission or redevelopment authority is proposed of at least \$4,000,000 the redevelopment commission or authority may not incur the obligation and make the capital improvement unless the business entity agrees to repay any obligations related to the specific capital improvement as of a date certain. Provides that the fiscal officer of a redevelopment commission is the fiscal officer of the unit that established the commission. Provides that the Indianapolis controller is the fiscal officer of the redevelopment commission and redevelopment authority in Indianapolis. Requires the secretary-treasurer of a redevelopment authority to report quarterly to the fiscal officer of the unit that established the redevelopment authority. Requires the department of local government finance, with the assistance of the state board of accounts, to prepare a on redevelopment by redevelopment commissions, authorities, and departments and to submit and present the report to the commission on state tax and financing policy during the 2012 legislative interim.

Date	Action
01/09/2012	S: <b>Author</b> Added <a href="#">Greg Walker</a>
01/09/2012	S: <b>1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>

**SB0356** *Officeholder qualifications.* ([Charbonneau](#))**Digest**

Provides that an employee of a county, city, town, or township (unit) is considered to have resigned from employment with the unit if the employee assumes the elected executive office of the unit or becomes an elected member of the unit's legislative or fiscal body. Provides that an individual who is serving as a volunteer firefighter may not: (1) assume the office of executive of the unit; or (2) become an elected member of the executive, legislative, or fiscal body of the unit; that oversees the budget and operations of the fire department in which the volunteer firefighter serves. Provides, however, that an individual who holds an elected office of a unit may also be appointed to and serve on a board, commission, or committee of the unit, and that an employee of a unit or a volunteer firefighter serving a unit is not prohibited from holding an elected office of another unit. Allows an employee or a volunteer firefighter who assumes or holds an elected office on January 1, 2013, to continue to hold the office and be employed by the unit or continue to serve as a volunteer firefighter until the expiration of the term of the elected office that the employee or volunteer firefighter is serving on January 1, 2013.

<u>Date</u>	<u>Action</u>
01/09/2012	<b>S: Author</b> Added <a href="#">Ed Charbonneau</a>
01/09/2012	<b>S: 1st Reading</b> Assigned <a href="#">Local Government</a>

**SB0358** *Local road funding and sales tax on gasoline.* ([Skinner](#))**Digest**

Provides that part of the sales tax collected on gasoline is to be allocated to counties, cities, and towns for road and street projects. Specifies that the allocation is the tax on that part of the retail price, including federal and state gasoline taxes, that exceeds \$3. Provides that the money is to be distributed to counties, cities, and towns after each quarter based on their proportionate share of local road and street mileage. Specifies that amounts distributed may be used by counties, cities, and towns for the same purposes for which money from the local road and street account may be used.

<u>Date</u>	<u>Action</u>
01/09/2012	<b>S: Author</b> Added <a href="#">Timothy D. Skinner</a>
01/09/2012	<b>S: 1st Reading</b> Assigned <a href="#">Tax and Fiscal Policy</a>

**SB0367** *PSAP fees.* ([Mrvan](#))**Digest**

Provides that a municipality or county otherwise prohibited from increasing its enhanced emergency telephone system fee until the unit's public service answering point (PSAP) is consolidated under an interlocal agreement containing certain provisions may increase its enhanced emergency telephone system fee after showing substantial progress toward consolidation by adopting an interlocal agreement that does not yet contain all the required provisions. Requires the unit to amend the interlocal agreement to include the remaining required provisions before January 1, 2016. Reduces the unit's enhanced emergency telephone system fee by the amount of the increase if the interlocal agreement is not amended as required before January 1, 2016. Provides that a PSAP may use money received from the wireless emergency enhanced 911 fee for a use permitted for an enhanced emergency telephone system fee.

<u>Date</u>	<u>Action</u>
01/09/2012	<b>S: Author</b> Added <a href="#">Frank Mrvan, Jr.</a>
01/09/2012	<b>S: 1st Reading</b> Assigned <a href="#">Utilities &amp; Technology</a>

**SB0412** *Historic courthouse preservation.* ([Merritt](#))**Digest**

Provides that for purposes of the county adjusted gross income tax, certified shares may be allocated or appropriated to maintain, rehabilitate, preserve, or restore a historic county courthouse. Provides that, for purposes of the county economic development income tax, a project that maintains, rehabilitates, preserves, or restores a historic county courthouse is an economic development project. Requires the division of historic preservation and archaeology to create a traveling exhibit, in cooperation with the Indiana state museum and historic sites corporation, that describes the role of historic courthouses in the history, architecture, and art of the counties and the state. Establishes the historic courthouse rehabilitation and restoration revolving fund to provide loans to counties for rehabilitation, restoration, preservation, or maintenance of county courthouses that are listed in the National Register of Historic Places. Makes an appropriation.

<b>Date</b>	<b>Action</b>	
01/09/2012	<b>S: Author</b>	Added <a href="#">James W. Merritt, Jr.</a>
01/09/2012	<b>S: 1st Reading</b>	Assigned <a href="#">Tax and Fiscal Policy</a>

**SJR0010** *Homesteads exempt from property tax.* ([M. Young](#), [Waltz](#))

### Digest

Exempts homesteads from property taxation. This proposed amendment has not been previously agreed to by a general assembly.

<b>Date</b>	<b>Action</b>	
01/04/2012	<b>S: Author</b>	Added <a href="#">R. Michael Young</a>
01/04/2012	<b>S: Author</b>	Added <a href="#">Brent Waltz</a>
01/04/2012	<b>S: 1st Reading</b>	Assigned <a href="#">Tax and Fiscal Policy</a>