DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204

IN THE MATTER OF THE REVIEW	)	
OF PROPOSED LANGUAGE FOR	)	
A BALLOT QUESTION REGARDING	)	**No. 14-001-REF**
ELKHART COMMUNITY SCHOOLS,	)	
ELKHART COUNTY	)	

FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION SUBMITTED JANUARY 10, 2014

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1. Elkhart Community Schools ("Corporation") proposes to place an operating referendum on the ballot for the purpose of establishing a referendum tax levy with a tax rate not to exceed thirteen and fifteen one-hundredths cents ($0.1315) per one hundred dollars ($100) of assessed value.

2. Under Indiana law, voters in the area served by the Corporation will vote in a referendum to approve or deny the Corporation's proposed tax rate.

3. Indiana law governs the format and wording of the ballot question for the referendum.

4. Under Indiana law, the "question to be submitted to the voters in the referendum **must read as follows**":

   > "For the __ (insert number) calendar year or years immediately following the holding of the referendum, shall the school corporation impose a property tax rate that does not exceed _____ (insert amount) cents ($0.__) (insert amount) on each one hundred dollars ($100) of assessed valuation and that is in addition to all other property tax levies imposed by the school corporation?"

   Indiana Code 20-46-1-10 (emphasis added).

5. The ballot question then must contain two parts:

   - the number of calendar years for which the tax will be in effect; and
   - the amount of the tax rate.

6. The law requires the Department of Local Government Finance ("Department") to review the language for compliance with IC 20-46-1-10. The Department may either approve or reject the language.

7. On January 10, 2014, the Department received an e-mail from the Corporation presenting the proposed ballot question for the referendum.

8. The Corporation requested that the Department review this proposed question:

> "For the seven (7) calendar years immediately following the holding of the referendum, shall the school corporation impose a property tax rate that does not exceed thirteen and fifteen one-hundredths cents ($0.1315) on each one hundred dollars ($100) of assessed valuation and that is in addition to all other property tax levies imposed by the school corporation?"

Compliance of Language

9. The Department must review the proposed language for compliance with IC 20-46-1-10. The Department may either approve or reject the language. The Department concludes that the language is in compliance with IC 20-46-1-10.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language is in compliance with IC 20-46-1-10 and approves the language as proposed.

Dated this 13th day of January, 2014.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Micah G. Vincent

Micah G. Vincent, Commissioner
Department of Local Government Finance

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

I, Michael E. Duffy, Staff Attorney for the Department of Local Government Finance, hereby certify that the above is an order of the Commissioner of the Department of Local Government Finance made this date in the above-entitled matter and that the Commissioner has personally signed the same under his statutory authority.

WITNESS MY HAND AND SEAL of the Commissioner on this the 13th day of January, 2014.

Michael E. Duffy

Michael E. Duffy, Staff Attorney
Department of Local Government Finance