

STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE N1058(B)
INDIANAPOLIS, IN 46204
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TO: All Political Subdivisions
FROM: Brian E. Bailey, Commissioner 
RE: Changes to Cumulative Fund Establishment
DATE: July 3, 2012

On March 19, 2012, Governor Mitch Daniels signed into law House Enrolled Act 1072 ("HEA 1072"), which modifies the process by which a political subdivision establishes a cumulative fund or modifies a cumulative fund tax rate.

Section 42 of HEA 1072 repeals IC 6-1.1-41-5, which had required the Department of Local Government Finance ("Department") to require that a Notice of Submission be given to taxpayers when a political subdivision presented a proposal to the Department to establish a cumulative fund or modify a cumulative fund tax rate.

Now a political subdivision must, pursuant to IC 6-1.1-41-3 as amended by Section 41 of HEA 1072, publish a Notice of Adoption in accordance with IC 5-3-1-2(i) in a manner prescribed by the Department if the political subdivision adopts a proposal to establish a cumulative fund or modify a cumulative fund tax rate under IC 6-1.1-41-3.

These changes are effective July 1, 2012.

Questions may be directed to Staff Attorney Mike Duffy at (317) 233-9219 or mduffy@dlgf.in.gov.

NOTICE OF ADOPTION

To the taxpayers of _____, State of Indiana.

You are hereby notified that on the __ (Date) __, __ (name of unit) __, __ (name of county) __, State of Indiana, pursuant to notice heretofore given, and under and by virtue of IC _____, duly adopted a plan whereby a Cumulative __ (name of fund) __ Fund was established to provide the following:

For all uses as set out in IC _____.

The fund will be provided for by a property tax rate of __ (amount written) __ (\$0. _____) on each one hundred dollars (\$100.00) of taxable real and personal property within the taxing unit beginning in 2012 payable in 2013, and thereafter, continuing until reduced or rescinded.

____ () or more taxpayers in the taxing unit who will be affected by the tax rate and corresponding levy may file a petition with the _____ County Auditor, not later than thirty (30) days after the publication of this Notice, setting forth their objections to the proposed rate and levy. Upon the filing of the petition, the County Auditor shall immediately certify the same to the Department of Local Government Finance, at which point the Department will fix a date for and conduct a public hearing on the proposed rate and levy before issuing its approval or disapproval thereof.

Dated this _____ day of (Month), 2012.

(NAME OF UNIT)

Fiscal Officer