

HOUSE BILL No. 1142

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-14-1-7.

Synopsis: Review of fiscal matters of public libraries. Requires a city, town, or county fiscal body to approve the budget, property tax levy, property tax rates, a lease with a term of at least five years, and bonded indebtedness of a public library.

Effective: July 1, 1998.

Burton

January 8, 1998, read first time and referred to Committee on Economic Growth and Regulatory Relief.

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Second Regular Session 110th General Assembly (1998)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1142

A BILL FOR AN ACT to amend the Indiana Code concerning public libraries.

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

1 SECTION 1. IC 20-14-1-7, IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1998]: **Sec. 7. (a) This section applies to the governing body of a
4 public library, including a library organized under IC 20-14-5.1.**

5 **(b) If:**

6 **(1) the assessed valuation of a public library is entirely
7 contained within a city or town; or**

8 **(2) the assessed valuation of a public library is not entirely
9 contained within a city or town, but the public library was
10 originally established by the city or town;**

11 **the governing body shall submit its proposed budget, property tax
12 levy, and property tax rate to the city or town fiscal body. The
13 proposed budget, levy, and rate shall be submitted at least fourteen
14 (14) days before the city or town fiscal body is required to hold
15 budget approval hearings under IC 6-1.1-17.**

16 **(c) If subsection (b) does not apply, the governing body of the
17 public library shall submit its proposed budget, property tax levy,**



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1 and property tax rate to the county fiscal body in the county where
 2 the public library has the most assessed valuation. The proposed
 3 budget, levy, and rate shall be submitted at least fourteen (14) days
 4 before the county fiscal body is required to hold budget approval
 5 hearings under IC 6-1.1-17.

6 (d) The fiscal body of the city, town, or county (whichever
 7 applies) shall review each budget, proposed tax levy, and proposed
 8 property tax rate and adopt a final budget, tax levy, and property
 9 tax rate for the public library. The fiscal body may reduce or
 10 modify but not increase the proposed budget, tax levy, or tax rate.
 11 However, the fiscal body may not reduce:

12 (1) a proposed tax levy to an amount that is less than the
 13 maximum permissible levy under IC 6-1.1-18.5-3; or

14 (2) a proposed property tax rate to a rate that is less than the
 15 maximum permissible property tax rate, if a statute limits the
 16 property tax rate that a public library may impose.

17 (e) Before a public library may incur bonded indebtedness on
 18 bonds (as defined in IC 36-1-2-2) or enter into a lease with an
 19 original term of at least five (5) years, the public library must
 20 request and obtain approval to incur the bonded indebtedness or
 21 execute the lease from the city, town, or county to which the public
 22 library must submit its budget under subsection (b) or (c). The
 23 approval must be obtained under this subsection before requesting
 24 that the state board of tax commissioners approve the bonded
 25 indebtedness or lease.

26 SECTION 2. [EFFECTIVE JULY 1, 1998] IC 20-14-1-7, as added
 27 by this act, applies only to:

28 (1) budgets, property tax levies, and property tax rates for
 29 calendar years beginning after December 31, 1998; and

30 (2) bonded indebtedness, including the refinancing of a
 31 bonded indebtedness, and leases for which an initial public
 32 notice of the proposed bond issue or lease is published after
 33 June 30, 1998.

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