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# HOUSE BILL No. 1241

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-10-8-1; IC 5-11-1-4; IC 6-1.1-29-4; IC 20-14-3-10.

**Synopsis:** Library tax, insurance, and accounting procedures. Specifies that a public library may provide group insurance for its employees and retired employees. Changes the time within which a public library must file a financial report with the state examiner of the state board of accounts from 30 days after the end of each fiscal year to 60 days after the end of each calendar year. Changes the date of a county board of tax adjustment's first annual meeting from September 18 to September 22. Provides that the last preceding annual appropriation and tax levy are renewed for a public library if the library board fails to: (1) give a first notice of its proposed budget and tax levy for the ensuing year at least ten days before the public hearing on those matters and a second notice at least three days before the hearing; or (2) finally adopt the budget and tax levy not later than September 20. Requires the treasurer of the library board to report to the county auditor not later than September 20 if the annual appropriation and tax levy are continued. (Current law provides that the last annual appropriation and tax levy are renewed if the board fails to: (1) give notice of its proposed budget and tax levy at least 21 days before the second Monday in September; or (2) finally adopt the budget and tax levy at least two days before the second Monday in September.)

**Effective:** July 1, 2000.

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## Stevenson, Scholer

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January 10, 2000, read first time and referred to Committee on Local Government.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

# HOUSE BILL No. 1241



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-10-8-1, AS AMENDED BY P.L.233-1999,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2000]: Sec. 1. The following definitions apply in this chapter:  
4 (1) "Employee" means:  
5 (A) an elected or appointed officer or official, or a full-time  
6 employee;  
7 (B) if the individual is employed by a school corporation, a  
8 full-time or part-time employee;  
9 (C) for a local unit public employer, a full-time or part-time  
10 employee or a person who provides personal services to the  
11 unit under contract during the contract period; or  
12 (D) a senior judge appointed under IC 33-2-1-8;  
13 whose services have continued without interruption at least thirty  
14 (30) days.  
15 (2) "Group insurance" means any of the kinds of insurance  
16 fulfilling the definitions and requirements of group insurance  
17 contained in IC 27-1.

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- 1 (3) "Insurance" means insurance upon or in relation to human life  
 2 in all its forms, including life insurance, health insurance,  
 3 disability insurance, accident insurance, hospitalization insurance,  
 4 surgery insurance, medical insurance, and supplemental medical  
 5 insurance.
- 6 (4) "Local unit" includes a city, town, county, township, **public**  
 7 **library**, or school corporation.
- 8 (5) "New traditional plan" means a self-insurance program  
 9 established under section 7(b) of this chapter to provide health  
 10 care coverage.
- 11 (6) "Public employer" means the state or a local unit, including  
 12 any board, commission, department, division, authority,  
 13 institution, establishment, facility, or governmental unit under the  
 14 supervision of either, having a payroll in relation to persons it  
 15 immediately employs, even if it is not a separate taxing unit.
- 16 (7) "Public employer" does not include a state educational  
 17 institution (as defined under IC 20-12-0.5-1).
- 18 (8) "Retired employee" means:  
 19 (A) in the case of a public employer that participates in the  
 20 public employees' retirement fund, a former employee who  
 21 qualifies for a benefit under IC 5-10.3-8;  
 22 (B) in the case of a public employer that participates in the  
 23 teachers' retirement fund under IC 21-6.1, a former employee  
 24 who qualifies for a benefit under IC 21-6.1-5; and  
 25 (C) in the case of any other public employer, a former  
 26 employee who meets the requirements established by the  
 27 public employer for participation in a group insurance plan for  
 28 retired employees.
- 29 (9) "Retirement date" means the date that the employee has  
 30 chosen to receive retirement benefits from the employees'  
 31 retirement fund.
- 32 SECTION 2. IC 5-11-1-4 IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) The state examiner shall  
 34 require from every municipality and every state or local governmental  
 35 unit, entity, or instrumentality financial reports covering the full period  
 36 of each fiscal year. Except as provided by subsection (b), these reports  
 37 shall be prepared, verified, and filed with the state examiner within  
 38 thirty (30) days after the close of each fiscal year.
- 39 (b) ~~A municipal government~~ **The following** shall prepare, verify,  
 40 and file the reports required under subsection (a) not later than sixty  
 41 (60) days after the end of each year:  
 42 (1) **A municipal government.**



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1           **(2) A public library.**

2           SECTION 3. IC 6-1.1-29-4 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. Each county board  
4 of tax adjustment, except the board for a consolidated city and county  
5 and for a county containing a second class city, shall hold its first  
6 meeting of each year on September ~~18~~ **22** or on the first business day  
7 after September ~~18~~; **22**, if September ~~18~~ **22** is not a business day. The  
8 board for a consolidated city and county and for a county containing a  
9 second class city shall hold its first meeting of each year on the first  
10 Wednesday following the adoption of city and county budget, tax rate,  
11 and tax levy ordinances. The board shall hold the first meeting at the  
12 office of the county auditor. At the first meeting of each year, the board  
13 shall elect a chairman and a vice-chairman. After the first meeting, the  
14 board shall continue to meet from day to day until its business is  
15 completed. However, the board must complete its duties on or before  
16 the date prescribed in IC 6-1.1-17-9(a). After the first meeting, the  
17 board may hold subsequent meetings at any convenient place.

18           SECTION 4. IC 20-14-3-10 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) The library  
20 board shall determine the rate of taxation for the library district that is  
21 necessary for the proper operation of the library. The library board shall  
22 certify the rate to the county auditor, and the county auditor shall  
23 certify the tax rate to the county tax adjustment board in the manner  
24 provided in IC 6-1.1. An additional rate may be levied under section  
25 8(5) of this chapter.

26           (b) If the library board fails to:

27           (1) give:

28           **(A) a first** published notice to its taxpayers of its proposed  
29 budget and tax levy for the ensuing year at least ~~twenty-one~~  
30 ~~(21)~~ **ten (10)** days before the ~~second Monday in September;~~  
31 **public hearing required under IC 6-1.1-17-3; and**

32           **(B) a second published notice to its taxpayers of its**  
33 **proposed budget and tax levy for the ensuing year at least**  
34 **three (3) days before the public hearing required under**  
35 **IC 6-1.1-17-3; or**

36           (2) finally adopt the budget and fix the tax levy at least ~~two (2)~~  
37 ~~days before the second Monday in September; not later than~~  
38 **September 20;**

39 then the last preceding annual appropriation made for the public library  
40 is renewed for the ensuing year, and the last preceding annual tax levy  
41 is continued. In this case, the treasurer of the library board shall report  
42 the continued tax levy to the county auditor, ~~no~~ **not** later than ~~two (2)~~



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1 days before the second Monday in September: **September 20.**

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