
HOUSE BILL No. 1155

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-6.

Synopsis: Elimination of township government. Establishes the township government study committee to: (1) study; and (2) prepare legislation for introduction during the 2005 regular session; implementing the transfer of township government functions to county government. Repeals, in 2005, statutes governing the duties of the township trustee, township board, and township assessor.

Effective: Upon passage; July 1, 2005.

Kuzman, Dobis

January 15, 2004, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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HOUSE BILL No. 1155



A BILL FOR AN ACT to repeal certain provisions of the Indiana Code concerning local government.

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

- 1 SECTION 1. THE FOLLOWING ARE REPEALED [EFFECTIVE
- 2 JULY 1, 2005]: IC 36-6-4; IC 36-6-5; IC 36-6-6; IC 36-6-7; IC 36-6-8.
- 3 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
- 4 **SECTION, "committee" refers to the township government study**
- 5 **committee established by this act.**
- 6 (b) **As used in this SECTION, "county executive" has the**
- 7 **meaning set forth in IC 36-1-2-5.**
- 8 (c) **As used in this SECTION, "political subdivision" has the**
- 9 **meaning set forth in IC 36-1-2-13.**
- 10 (d) **The township government study committee is established.**
- 11 (e) **The committee shall study the implementation of the transfer**
- 12 **of the powers and duties of the township trustee, including the**
- 13 **transfer of:**
- 14 (1) **the management of all township property interests to the**
- 15 **county executive;**
- 16 (2) **the administration of township assistance under IC 12-20**
- 17 **and IC 12-30-4 to the county executive;**



- 1 **(3) the duty of fence viewer under IC 32-26 to:**
- 2 **(A) the plan commission of the county; or**
- 3 **(B) if the county does not have a plan commission, the**
- 4 **county executive;**
- 5 **(4) the duties of township assessor under IC 36-6-5 to the**
- 6 **county assessor;**
- 7 **(5) the provision and maintenance of cemeteries under**
- 8 **IC 23-14 to the county executive;**
- 9 **(6) fire protection under IC 36-8 to:**
- 10 **(A) the city or the town if the township is located within a**
- 11 **city or a town; or**
- 12 **(B) a fire protection district;**
- 13 **(7) the provision and maintenance of township parks and**
- 14 **community centers under IC 36-10 to the county executive;**
- 15 **(8) the destruction of detrimental plants, noxious weeds, and**
- 16 **rank vegetation under IC 15-3-4 to the county executive; and**
- 17 **(9) the provision of insulin to the poor under IC 12-20-16 to**
- 18 **the county board of health.**
- 19 **(f) The committee shall study the implementation of the transfer**
- 20 **of the powers and duties of the township assessor, including the**
- 21 **transfer of:**
- 22 **(1) assessment duties under IC 6-1.1 to the county assessor;**
- 23 **and**
- 24 **(2) administration of the dog tax fund under IC 15-5-9 to the**
- 25 **county auditor.**
- 26 **(g) The committee shall study the implementation of the**
- 27 **transfer to county government of any other powers and duties of**
- 28 **township government not described in subsections (e) and (f).**
- 29 **(h) The committee shall study:**
- 30 **(1) financing issues; and**
- 31 **(2) any other issues;**
- 32 **relevant to the implementation of the transfer of powers and duties**
- 33 **under this act.**
- 34 **(i) The committee shall prepare legislation for introduction**
- 35 **during the 2005 regular session of the general assembly to**
- 36 **implement the transfer of powers under this act.**
- 37 **(j) The committee shall identify statutory cross-references**
- 38 **affected by the repeal of the statutes under SECTION 1 of this act**
- 39 **and make appropriate corrections in the legislation described in**
- 40 **subsection (i).**
- 41 **(k) The committee shall operate under the policies governing**
- 42 **study committees adopted by the legislative council.**

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- 1 **(l) The committee shall issue a final report stating its findings,**
- 2 **conclusions, and recommendations not later than December 31,**
- 3 **2004. The final report must be submitted to the legislative council**
- 4 **in electronic format under IC 5-14-6.**
- 5 **(m) The committee consists of twelve (12) members of the**
- 6 **general assembly, to be appointed as follows:**
- 7 **(1) The president pro tempore of the senate shall appoint six**
- 8 **(6) senators, not more than three (3) of whom are of the same**
- 9 **political party.**
- 10 **(2) The speaker of the house of representatives shall appoint**
- 11 **six (6) representatives, not more than three (3) of whom are**
- 12 **of the same political party.**
- 13 **(n) The affirmative votes of a majority of the members**
- 14 **appointed to the committee are required for the committee to take**
- 15 **action on any measure, including final reports.**
- 16 **(o) This SECTION expires January 1, 2005.**
- 17 **SECTION 3. An emergency is declared for this act.**

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