

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Local Government, to which was referred House Bill No. 1030, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1 Page 3, line 13, after "resolution." insert "**In the case of a plan of**
2 **reorganization submitted to a political subdivision by a**
3 **reorganization committee after June 30, 2010, the political**
4 **subdivision shall post a copy of the plan of reorganization on an**
5 **Internet web site maintained or authorized by the political**
6 **subdivision not more than thirty (30) days after receiving the plan**
7 **of reorganization from the reorganization committee."**

8 Page 3, line 15, delete "and in any other material the reorganization"
9 and insert "**submitted to a political subdivision after June 30, 2010,"**.

10 Page 3, line 16, delete "committee provides to the public".

11 Page 3, between lines 23 and 24, begin a new paragraph and insert:
12 "**SECTION 2. IC 36-1.5-4-27, AS ADDED BY P.L.186-2006,**
13 **SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
14 **UPON PASSAGE]: Sec. 27. After the county recorder of each county**
15 **in which reorganizing political subdivisions are located has notified the**
16 **county election board that a public question on a plan of reorganization**
17 **is eligible to be placed on the ballot, the county election board shall**
18 **place the public question on the ballot in accordance with IC 3-10-9 on**
19 **the first regularly scheduled general election or municipal election**
20 **(excluding any primary elections) that will occur in all of the**

1 precincts of the reorganizing political subdivisions at least sixty (60)
2 days after the required notices are received.

3 SECTION 3. IC 36-1.5-4-36, AS ADDED BY P.L.186-2006,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 36. (a) This section applies if section 5 of this
6 chapter requires an election for a reorganization to become effective.

7 (b) At the next:

8 (1) general election, if:

9 (A) the reorganized political subdivision is not a municipality
10 or a school corporation; **or**

11 **(B) the reorganized political subdivision results from a**
12 **reorganization including a county and at least one (1)**
13 **municipality;**

14 (2) municipal election, if the reorganized political subdivision is
15 a municipality; or

16 (3) primary or general election, as specified in an election plan
17 adopted in substantially identical resolutions by the legislative
18 body of each of the participating political subdivisions if the
19 reorganized political subdivision is a school corporation;

20 after the voters approve a reorganization, one (1) set of officers for the
21 reorganized political subdivision having the combined population of
22 the reorganizing political subdivisions shall be elected by the voters in
23 the territory of the reorganized political subdivision as prescribed by
24 statute.

25 (c) In the election described in subsection (b):

26 (1) one (1) member of the legislative body of the reorganized
27 political subdivision shall be elected from each election district
28 established by the reorganizing political subdivisions in
29 substantially identical resolutions adopted by the legislative body
30 of each of the reorganizing political subdivisions; and

31 (2) the total number of at large members shall be elected as
32 prescribed by statute for the reorganized political subdivision.

33 (d) If appointed officers are required in the reorganized political
34 subdivision, one (1) set of appointed officers shall be appointed for the
35 reorganized political subdivision. The appointments shall be made as
36 required by statute for the reorganized political subdivision. Any
37 statute requiring an appointed officer to reside in the political
38 subdivision where the appointed officer resides shall be treated as

1 permitting the appointed officer to reside in any part of the territory of
2 the reorganized political subdivision.

3 SECTION 4. IC 36-2-1.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]:

6 **Chapter 1.5. Reorganization Fiscal Analysis Statement**

7 **Sec. 1. This chapter applies only if a statute is enacted by the**
8 **general assembly that allows a county to reorganize the county**
9 **executive body, county legislative body, or county fiscal body by a**
10 **means other than a reorganization under IC 36-1.5.**

11 **Sec. 2. As used in this chapter, "governing body" means a**
12 **county executive body, county fiscal body, or county legislative**
13 **body.**

14 **Sec. 3. If a plan of reorganization is prepared in a**
15 **reorganization subject to this chapter, the plan must include a**
16 **statement of:**

17 **(1) whether a fiscal impact analysis concerning the proposed**
18 **reorganization has been prepared or has not been prepared**
19 **by or on behalf of the county; and**

20 **(2) whether a fiscal impact analysis concerning the proposed**
21 **reorganization has been made available or has not been made**
22 **available to the public by or on behalf of the county.**

23 **Sec. 4. (a) This section applies if:**

24 **(1) a plan of reorganization is not prepared in a**
25 **reorganization subject to this chapter; and**

26 **(2) a governing body or governing bodies are required by**
27 **statute to approve the reorganization by a vote of the**
28 **governing body or governing bodies.**

29 **(b) Notice of each meeting at which a vote is taken by a**
30 **governing body or governing bodies shall be published in**
31 **accordance with IC 5-3-1 at least ten (10) days before the meeting.**
32 **The notice must include the statement described in section 3 of this**
33 **chapter.**

34 **Sec. 5. (a) This section applies if:**

35 **(1) a plan of reorganization is not prepared in a**
36 **reorganization subject to this chapter; and**

37 **(2) a local public question is required to allow voters to**
38 **approve or disapprove a reorganization of the county**

1 executive body, county legislative body, or county fiscal body.
 2 (b) The county clerk shall publish a notice in accordance with
 3 IC 5-3-1 at least ten (10) days before the election in which the local
 4 public question is on the ballot. The notice must include the
 5 statement described in section 3 of this chapter.

6 Sec. 6. If a plan of reorganization is not prepared in a
 7 reorganization and:

8 (1) approval of a governing body or governing bodies is
 9 required as described in section 4 of this chapter; and

10 (2) a local public question is required as described in section
 11 5 of this chapter;

12 notice shall be published in accordance with both section 4 and
 13 section 5 of this chapter."

14 Renumber all SECTIONS consecutively.

(Reference is to HB 1030 as printed January 12, 2010.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

Lawson C

Chairperson