

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 526 be amended to read as follows:

- 1 Page 11, between lines 10 and 11, begin a new paragraph and insert:
2 "SECTION 9. IC 6-1.1-24-1.5, AS AMENDED BY P.L.169-2006,
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2011]: Sec. 1.5. (a) As used in this chapter and IC 6-1.1-25,
5 "county executive" means the following:
6 (1) In a county not containing a consolidated city, the county
7 executive or the county executive's designee.
8 (2) In a county containing a consolidated city:
9 **(A) a reference to "county executive" in subsections (b)**
10 **and (c) and sections 1 and 2.2 of this chapter means the**
11 **executive of the consolidated city; and**
12 **(B) a reference to "county executive" in:**
13 **(i) sections 5.3, 6, 6.1, 6.3, 6.7, 6.8, and 9 of this chapter;**
14 **and**
15 **(ii) IC 6-1.1-25;**
16 **means the county treasurer; however, the executive of the**
17 **consolidated city or the executive of the consolidated city's**
18 **designee may also enter property to conduct**
19 **environmental investigations under IC 6-1.1-25-4(h).**
20 (b) The county executive may designate the real property on the list
21 prepared under section 4.5(b) of this chapter that is eligible for listing
22 on the list prepared under subsection (c).
23 (c) The county executive shall prepare a list of properties designated
24 under subsection (b) and certify the list to the county auditor no later

1 than sixty-one (61) days prior to the earliest date on which application
2 for judgment and order for sale may be made.

3 (d) Upon receiving the list described in subsection (c), the county
4 auditor shall:

5 (1) prepare a list of the properties certified by the commission;
6 and

7 (2) delete any property described in that list from the delinquent
8 tax list prepared under section 1 of this chapter."

9 Page 30, line 4, delete "IC 36-1-8-17" and insert "IC 36-1-18-17.7".

10 Page 30, line 6, delete "17." and insert "17.7".

11 Page 31, between lines 8 and 9, begin a new paragraph and insert:

12 "SECTION 45. IC 36-1-11-2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. The following
14 definitions apply throughout this chapter:

15 (1) "Disposal" means sale, exchange, transfer, or lease of
16 property.

17 (2) "Disposing agent" means:

18 **(A) in a county not having a consolidated city**, the board or
19 officer of a political subdivision or agency having the power
20 to award contracts for which public notice is required, with
21 respect to property of the political subdivision or agency; **and**

22 **(B) in a county having a consolidated city:**

23 **(i) the county treasurer with respect to real property**
24 **obtained by tax default under IC 6-1.1-24 and**
25 **IC 6-1.1-25; and**

26 **(ii) the board or officer of a political subdivision or**
27 **agency having the power to award contracts for which**
28 **public notice is required, with respect to property of the**
29 **political subdivision or agency.**

30 (3) "Key number" has the meaning set forth in IC 6-1.1-1-8.5.

31 (4) "Operating agreement" has the meaning set forth in
32 IC 5-23-2-7.

33 (5) "Person" means any association, corporation, limited liability
34 company, fiduciary, individual, joint venture, partnership, sole
35 proprietorship, or any other legal entity.

36 (6) "Property" means all fixtures and real property to be included
37 in a disposal.

38 (7) "Tract" has the meaning set forth in IC 6-1.1-1-22.5".

39 Page 51, line 42, delete "township constable,".

40 Page 58, line 6, delete "and" and insert ". **The operations of small**
41 **claims courts**".

42 Page 58, line 23, delete "Except as provided in subsections (c) and
43 (d), on" and insert "**On**".

44 Page 58, line 33, after "county." insert "**The transfers occurring**
45 **under this subsection are necessary to effectuate the transfer from**
46 **the legal entity of the township to the county. These transfers do**

- 1 **not limit the powers of the trustee to perform the duties expressly**
 2 **reserved to the trustee under IC 36-3-8."**
- 3 Page 58, delete lines 34 through 36.
- 4 Page 58, line 37, delete "employees under this section, the" and
 5 insert "**The**".
- 6 Page 58, run in lines 33 through 37.
- 7 Page 58, delete lines 41 through 42.
- 8 Page 59, delete lines 1 through 3.
- 9 Page 59, line 4, delete "(e)" and insert "(c)".
- 10 Page 59, line 7, after "2012." insert "**No township employee may**
 11 **lose their employment as a result of their transfer to county**
 12 **employment. The hire date of each employee, when transferred to**
 13 **county employment, is the date the individual was hired as an**
 14 **employee by the township in which the individual was serving at**
 15 **the time of transfer to county employment. The vacation time**
 16 **earned by a trustee, constable, small claims court judge, or**
 17 **employee of the township transfers with that individual when the**
 18 **individual becomes a county employee. Upon transfer to county**
 19 **employment, the trustee, constable, small claims court judge, or**
 20 **employee is entitled to receive the same salary that the individual**
 21 **received from the township. The salary and benefits of a trustee,**
 22 **constable, small claims court judge, or employee may not be**
 23 **reduced by the county legislative body before January 1, 2015, and**
 24 **only as otherwise permitted by law."**
- 25 Page 59, line 8, delete "(f)" and insert "(d)".
- 26 Page 59, line 21, delete ", except to the extent provided in section
 27 4(c) and".
- 28 Page 59, line 22, delete "4(d) of this chapter,".
- 29 Page 61, line 3, delete "The" and insert "**Subject to the approval**
 30 **of the county legislative body, the**".
- 31 Page 61, between lines 6 and 7, begin a new paragraph and insert:
 32 "**Sec. 12. A committee of township trustees or their designees**
 33 **shall meet between January 1, 2013, and July 1, 2013, to develop a**
 34 **proposal for countywide township assistance standards. The**
 35 **committee shall submit the committee's proposal to the county**
 36 **legislative body for its consideration.**
- 37 **Sec. 13. Taxpayer funds to support a township fire department**
 38 **may not be appropriated by the county legislative body for any**
 39 **other purpose except to fund that fire department, and the county**
 40 **legislative body may not reduce the tax rate of a township fire**
 41 **department or fail to adequately fund that fire department in an**
 42 **effort to force it to consolidate with the consolidated fire**
 43 **department."**
- 44 Page 68, between lines 26 and 27, begin a new paragraph and insert:
 45 "SECTION 75. IC 36-8-3.5-1.5 IS ADDED TO THE INDIANA
 46 CODE AS A NEW SECTION TO READ AS FOLLOWS

- 1 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. An individual who**
- 2 **becomes a firefighter employed by the fire department of the**
- 3 **consolidated city through the consolidation of township fire**
- 4 **protection services after 2010 may not have the individual's merit**
- 5 **rank reduced below the merit rank held by the individual on**
- 6 **January 1, 2011, as a firefighter employed by a township fire**
- 7 **department."**
- 8 Page 75, line 22, delete "[EFFECTIVE" and insert "[EFFECTIVE
- 9 JANUARY 1, 2012]:".
- 10 Page 75, line 23, delete "JANUARY 1, 2015]: JULY 1, 2011]:".
- 11 Page 76, line 21, delete "[EFFECTIVE JANUARY 1, 2015]:" and
- 12 insert "[EFFECTIVE JANUARY 1, 2012]:".
- 13 Renumber all SECTIONS consecutively.
 (Reference is to ESB 526 as printed April 12, 2011.)

Representative Hinkle