
SENATE BILL No. 64

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1.5-4-32.

Synopsis: Government reorganization. Provides that if the territories of a reorganizing city or town and a reorganizing township overlap, the vote of voters of the reorganizing city or town shall be included only in the tally of votes for the reorganizing city or town in which the voters reside.

Effective: July 1, 2011.

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January 5, 2011, read first time and referred to Committee on Local Government.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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SENATE BILL No. 64



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-1.5-4-32, AS ADDED BY P.L.186-2006,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 32. (a) This subsection does not apply to a
4 reorganization described in section 1(a)(9) of this chapter. A
5 reorganization as specified in the plan of reorganization is approved if
6 a majority of the voters in each reorganizing political subdivision
7 voting on the public question approve the public question on the
8 reorganization. **If a reorganizing political subdivision includes the**
9 **territory of a second reorganizing political subdivision, the**
10 **following apply:**

11 (1) **The vote of voters of a reorganizing city or town who also**
12 **are voters of a reorganizing township that includes the**
13 **territory of the reorganizing city or town shall be included**
14 **only in the tally of votes for the reorganizing city or town in**
15 **which the voters reside.**

16 (2) **This subdivision does not apply to a reorganization**
17 **described in subdivision (1).** The vote of voters of a reorganizing



1 political subdivision (~~for example, a city~~) who also are voters in
 2 a second reorganizing political subdivision (~~for example, a~~
 3 ~~township~~) that is geographically larger than the first political
 4 subdivision and that includes the territory of the first political
 5 subdivision shall be included only in the tally of votes for the first
 6 reorganizing political subdivision in which the voters reside

7 (b) This subsection applies only to a reorganization described in
 8 section 1(a)(9) of this chapter. The reorganization is approved only if:

9 (1) the percentage of voters voting on the public question who
 10 vote, on a countywide basis, in favor of the proposed
 11 reorganization is at least equal to the countywide vote approval
 12 percentage specified in the final reorganization plan;

13 (2) if the legislative bodies of the reorganizing political
 14 subdivisions have agreed that the vote on the public question shall
 15 be conducted with a rejection threshold, the percentage of voters
 16 of the county (excluding the voters of the reorganizing
 17 municipalities) voting on the public question who vote against the
 18 reorganization is less than the rejection threshold included in the
 19 final reorganization plan; and

20 (3) if the legislative bodies of the reorganizing political
 21 subdivisions have agreed that the vote on the public question shall
 22 be conducted with a rejection threshold, the percentage of voters
 23 of each reorganizing municipality voting on the public question
 24 who vote against the reorganization is less than the rejection
 25 threshold included in the final reorganization plan.

26 If the reorganization is not approved, the reorganization is terminated.
 27 If the legislative bodies of the reorganizing political subdivisions have
 28 agreed that the vote in the public question shall be conducted with a
 29 rejection threshold, then in tabulating the votes under subdivisions (2)
 30 and (3), the vote of voters of a reorganizing municipality who also are
 31 voters in the county shall be included only in the tally of votes for the
 32 municipality in which the voters reside.

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