

---

---

# SENATE BILL No. 380

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-6-1.7.

**Synopsis:** Township government. Provides that each township that does not contain a high school building of a school corporation, does not contain all or part of at least one municipality, does not contain at least one fire station, or have a population of at least 50,000 is merged on January 1, 2016, into a contiguous township that meets one of those requirements. Specifies the manner in which the townships involved in a particular merger are determined. Provides that these merger requirements do not apply to: (1) a township in Marion County; (2) a township that before January 1, 2014, has reorganized under the local government reorganization statutes; or (3) a township that before January 1, 2014, has merged with one or more other townships under the voluntary township merger process.

**Effective:** July 1, 2011.

---

---

### Buck

---

---

January 11, 2011, read first time and referred to Committee on Local Government.

---

---

C  
O  
P  
Y



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.

C  
o  
p  
y

# SENATE BILL No. 380



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 36-6-1.7 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2011]:
- 4 **Chapter 1.7. Consolidation of Townships**
- 5 **Sec. 1. Except as provided in section 2 of this chapter, this**
- 6 **chapter applies to all townships.**
- 7 **Sec. 2. (a) This chapter does not apply to a township located in**
- 8 **Marion County.**
- 9 **(b) This chapter does not apply to any of the following:**
- 10 **(1) A township that before January 1, 2014, has reorganized**
- 11 **under IC 36-1.5 with one (1) or more other political**
- 12 **subdivisions.**
- 13 **(2) A township that before January 1, 2014, has merged with**
- 14 **one (1) or more other townships under IC 36-6-1.5.**
- 15 **Sec. 3. As used in this chapter, "recipient township" refers to a**
- 16 **township:**
- 17 **(1) that exists on January 1, 2014; and**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- (2) to which any of the following apply:
  - (A) The township on January 1, 2016, contains a high school building of a school corporation.
  - (B) The township on January 1, 2016, contains all or part of at least one (1) municipality.
  - (C) The township on January 1, 2016, contains at least one (1) fire station of a volunteer fire department, township fire department, fire protection district, or fire protection territory.
  - (D) The township has a population of at least fifty thousand (50,000).

**Sec. 4. (a) The township government of each township that:**

- (1) is subject to this chapter; and
- (2) is not a recipient township;

**is on January 1, 2016, merged into the township government of a recipient township in the county as provided in this chapter.**

**(b) Each township government described in subsection (a) is on January 1, 2016, merged into the government of a recipient township in the county as follows:**

- (1) A township government described in subsection (a) is merged into the township government of a contiguous township that on January 1, 2016, contains a high school building of a school corporation. If there is more than one (1) contiguous township that on January 1, 2016, contains a high school building of a school corporation, the township government described in subsection (a) is merged into the township government of the township that has the greatest population of the contiguous townships in the county that contain a high school building of a school corporation.
- (2) If subdivision (1) does not apply to a township government described in subsection (a), the township government described in subsection (a) is merged into the township government of a contiguous township that on January 1, 2016, contains all or part of at least one (1) municipality. If there is more than one (1) contiguous township that on January 1, 2016, contains all or part of at least one (1) municipality, the township government described in subsection (a) is merged into the township government of the township that has the greatest population of the contiguous townships in the county that contain all or part of at least one (1) municipality.
- (3) If subdivisions (1) and (2) do not apply to a township government described in subsection (a), the township

**C  
O  
P  
Y**



1 government described in subsection (a) is merged into the  
 2 township government of a contiguous township that on  
 3 January 1, 2016, contains at least one (1) fire station of a  
 4 volunteer fire department, township fire department, fire  
 5 protection district, or fire protection territory. If there is  
 6 more than one (1) contiguous township that on January 1,  
 7 2016, contains at least one (1) fire station of a volunteer fire  
 8 department, township fire department, fire protection district,  
 9 or fire protection territory, the township government  
 10 described in subsection (a) is merged into the township  
 11 government of the township that has the greatest population  
 12 of the contiguous townships in the county that contain at least  
 13 one (1) fire station of a volunteer fire department, township  
 14 fire department, fire protection district, or fire protection  
 15 territory.

16 (4) If subdivisions (1), (2), and (3) do not apply to a township  
 17 government described in subsection (a), the township  
 18 government described in subsection (a) is merged into the  
 19 township government of a contiguous township that on  
 20 January 1, 2016, has a population of at least fifty thousand  
 21 (50,000). If there is more than one (1) contiguous township  
 22 that on January 1, 2016, has a population of at least fifty  
 23 thousand (50,000), the township government described in  
 24 subsection (a) is merged into the township government of the  
 25 township that has the greatest population of the contiguous  
 26 townships having a population of at least fifty thousand  
 27 (50,000).

28 (c) More than one (1) township government may be merged  
 29 under this chapter into the township government of a recipient  
 30 township.

31 (d) If a township government described in subsection (a) is not  
 32 contiguous to a recipient township, the township government  
 33 described in subsection (a) is on January 1, 2016, merged into the  
 34 same township government as is the contiguous township with the  
 35 greatest population.

36 Sec. 5. The township government of a township described in  
 37 section 2 of this chapter may not:

- 38 (1) be a recipient township government under this chapter; or
- 39 (2) merge under this chapter into a recipient township  
 40 government.

41 Sec. 6. (a) On January 1, 2016:

- 42 (1) each township government that is merged under this

**C  
O  
P  
Y**



1 chapter into the township government of a recipient township  
 2 is abolished;  
 3 (2) the functions, powers, and duties of the agencies,  
 4 departments, and boards of the township governments that  
 5 are abolished are assigned to the agencies, departments, and  
 6 boards of the township government of the recipient township;  
 7 (3) subject to subsection (d), the:  
 8 (A) property;  
 9 (B) records;  
 10 (C) personnel;  
 11 (D) rights; and  
 12 (E) liabilities;  
 13 of the township governments that are abolished are  
 14 transferred to the township government of the recipient  
 15 township;  
 16 (4) all money in the funds of each township government that  
 17 is abolished shall be transferred to the township government  
 18 of the recipient township, and the township government of the  
 19 recipient township shall deposit the money into its funds that  
 20 most closely correspond to the funds from which the money is  
 21 transferred; and  
 22 (5) the term of office expires for each elected township officer  
 23 of a township government that is abolished.  
 24 (b) Beginning January 1, 2016:  
 25 (1) there shall be one (1) township government for the  
 26 townships involved in a merger under this chapter;  
 27 (2) the territory of the township government that results from  
 28 a merger under this chapter includes all the territory that  
 29 before the merger comprised the territories of:  
 30 (A) the recipient township; and  
 31 (B) the townships for which a township government is  
 32 merged into the township government of the recipient  
 33 township;  
 34 (3) the township government of the recipient township shall  
 35 exercise township powers and duties throughout the territory  
 36 of the new township government as described in subdivision  
 37 (2); and  
 38 (4) the township government of the recipient township is  
 39 entitled to receive all distributions of taxes and other revenue  
 40 that would have been made to the abolished township  
 41 governments if the merger had not occurred.  
 42 (c) Each township that is included in a merger of township

C  
O  
P  
Y



1 governments under this chapter retains its geographical  
 2 boundaries and its name, but the townships are governed by one  
 3 (1) township government as described in subsection (b).  
 4 (d) The taxpayers of a township that is included in a merger  
 5 under this chapter of township governments remain liable for the  
 6 outstanding township indebtedness, as of December 31, 2015, of the  
 7 township. Property taxes to pay the outstanding township  
 8 indebtedness, as of December 31, 2015, of the township:  
 9 (1) may be imposed only within the township in which the  
 10 indebtedness was incurred; and  
 11 (2) may not be imposed in any other township included in the  
 12 merger.  
 13 Sec. 7. (a) At the general election in November 2016, township  
 14 officers shall be elected by the voters of the territory that before  
 15 the merger comprised the territories of:  
 16 (1) the recipient township; and  
 17 (2) the townships for which a township government is merged  
 18 into the township government of the recipient township.  
 19 (b) The term of office of each township officer elected as  
 20 described in this section begins January 1, 2017.  
 21 (c) The term of any elected officer of a recipient township  
 22 government who is serving on December 31, 2016, expires January  
 23 1, 2017.  
 24 Sec. 8. Pending actions that involve a township government that  
 25 is abolished shall be prosecuted to final judgment and execution,  
 26 and judgments rendered in those actions may be executed and  
 27 enforced against the township government of the recipient  
 28 township without any change of the name of the plaintiff or  
 29 defendant.

C  
O  
P  
Y

