

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 303 be amended to read as follows:

- 1           Page 9, between lines 16 and 17, begin a new paragraph and insert:  
2           SECTION 11. IC 36-2-2.4 IS ADDED TO THE INDIANA CODE  
3           AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]:  
5           **Chapter 2.4. Determination of County Government Structure**  
6           **Sec. 1. This chapter does not apply to a county having a**  
7           **consolidated city.**  
8           **Sec. 2. (a) Subject to subsection (b), the county executive may**  
9           **adopt an ordinance providing that the voters of the county shall**  
10           **elect:**  
11           **(1) a single county commissioner under IC 36-2-2.5 who has**  
12           **the executive powers and duties of the county; and**  
13           **(2) a county council that has the legislative and fiscal powers**  
14           **and duties of the county.**  
15           **(b) An ordinance may be adopted under this chapter only:**  
16           **(1) during an odd-numbered year; or**  
17           **(2) before July 1 of an even-numbered year.**  
18           **(c) If the ordinance is adopted by a unanimous vote of the entire**  
19           **membership of the county executive, the executive and legislative**  
20           **structure and functions of the county are reorganized under**  
21           **IC 36-2-2.5.**  
22           **(d) If the ordinance is adopted by a two-thirds (2/3) vote of the**  
23           **entire membership of the county executive, a public question shall**  
24           **be held in the county on whether or not the executive and**  
25           **legislative structure and functions of the county should be**  
26           **reorganized under IC 36-2-2.5.**  
27           **(e) If an ordinance described in subsection (d) is adopted, the**  
28           **county auditor shall certify the adoption of the ordinance to the**  
29           **county election board as provided in IC 3-10-9.**  
30           **Sec. 3. If an ordinance is certified under section 2(e) of this**

1 chapter, the county election board shall place the following public  
2 question on the ballot at the next general election held in the  
3 county:

4 "Shall the county government of (insert the name of the  
5 county) County be reorganized to place all executive powers  
6 in a single elected county commissioner and to place all  
7 legislative and fiscal powers in the county council?".

8 Sec. 4. IC 3, except where inconsistent with this chapter, applies  
9 to a public question placed on the ballot under this chapter.

10 Sec. 5. If a majority of the voters of a county who vote on a  
11 public question vote in favor of the public question, the executive  
12 and legislative structure and functions of the county are  
13 reorganized under IC 36-2-2.5".

14 Page 9, delete lines 17 through 35.

15 Page 9, between lines 39 and 40, begin a new paragraph and insert:

16 "Sec. 1. Except as specifically provided by law, this chapter  
17 applies to each county that does not have a consolidated city in  
18 which:

19 (1) an ordinance under IC 36-2-2.4 making the county  
20 executive a single county chief executive officer has been  
21 approved; or

22 (2) a local public question under IC 36-2-2.4 making the  
23 county executive a single county executive officer has been  
24 approved by the voters of the county.".

25 Page 9, delete lines 40 through 42.

26 Page 10, delete lines 1 through 3.

27 Page 10, line 9, after "ordinance" insert "or local public question".

28 Page 10, line 12, after "ordinance" insert "or local public question".

29 Page 21, between lines 8 and 9, begin a new paragraph and insert:

30 "Sec. 1. Except as specifically provided by law, this chapter  
31 applies to each county that does not have a consolidated city in  
32 which:

33 (1) an ordinance under IC 36-2-2.4 making the county  
34 executive a single county chief executive officer has been  
35 approved; or

1           **(2) a local public question under IC 36-2-2.4 making the**  
2           **county executive a single county executive officer has been**  
3           **approved by the voters of the county."**

4           Page 21, delete lines 9 through 14.

(Reference is to SB 303 as printed February 18, 2011.)

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Senator HOLDMAN