
HOUSE BILL No. 1078

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-7-2; IC 36-5-3-2.

Synopsis: Salaries of municipal elected officers. Provides that the compensation of an elected officer of a second or third class city or a town may be reduced below the amount fixed for the previous year. Provides that in the year in which a newly elected officer takes office, the legislative body of such a city or town may change the compensation for holding the office for that year if: (1) the officer requests the compensation change; and (2) the legislative body adopts an ordinance that changes the compensation.

Effective: July 1, 2012.

Wolkins

January 9, 2012, read first time and referred to Committee on Local Government.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1078



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 36-4-7-2, AS AMENDED BY P.L.141-2009,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 2. (a) As used in this section, "compensation"
4 means the total of all money paid to an elected city officer for
5 performing duties as a city officer, regardless of the source of funds
6 from which the money is paid.
7 (b) The city legislative body shall, by ordinance, fix the annual
8 compensation of all elected city officers.
9 (c) **Except as provided in subsection (d)**, the compensation of an
10 elected city officer may not be changed in the year for which it is fixed.
11 ~~nor may it be reduced below the amount fixed for the previous year.~~
12 (d) **In the year in which a newly elected city officer takes office,**
13 **the city legislative body may at any time change the compensation**
14 **for holding the city office for that year if:**
15 (1) **the city officer requests the compensation change; and**
16 (2) **the city legislative body adopts an ordinance that changes**
17 **the compensation.**



1 SECTION 2. IC 36-5-3-2 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) As used in this section,
 3 "compensation" means the total of all money paid to an elected town
 4 officer for performing duties as a town officer, regardless of the source
 5 of funds from which the money is paid.

6 (b) The town legislative body shall, by ordinance, fix the
 7 compensation of its own members, the town clerk-treasurer, and the
 8 town marshal. The legislative body shall provide reasonable
 9 compensation for other town officers and employees.

10 (c) **Except as provided in subsection (d),** the compensation of an
 11 elected town officer may not be changed in the year for which it is
 12 fixed. ~~nor may it be reduced below the amount fixed for the previous~~
 13 ~~year.~~

14 **(d) In the year in which a newly elected town officer takes office,**
 15 **the town legislative body may at any time change the compensation**
 16 **for holding the town office for that year if:**

- 17 **(1) the town officer requests the compensation change; and**
 18 **(2) the town legislative body adopts an ordinance that changes**
 19 **the compensation.**

20 ~~(d)~~ (e) The legislative body may provide that town officers and
 21 employees receive additional compensation for services that:

- 22 (1) are performed for the town;
 23 (2) are not governmental in nature; and
 24 (3) are connected with the operation of a municipally owned
 25 utility or function.

26 Subject to the approval of the legislative body, the administrative
 27 agency operating the utility or function shall fix the amount of the
 28 additional compensation, which shall be paid from the revenues of the
 29 utility or function.

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