

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1072 be amended to read as follows:

- 1           Page 152, between lines 28 and 29, begin a new paragraph and  
2           insert:  
3           "SECTION 112. [EFFECTIVE UPON PASSAGE] (a) **This section**  
4           **applies to a fire protection district:**  
5                **(1) that was initially established in 2011;**  
6                **(2) whose maximum levy and cumulative fund rate were first**  
7                **established and approved by the department of local**  
8                **government finance in 2011;**  
9                **(3) that properly and timely advertised its budget, rates and**  
10              **levies in 2011 for the 2012 calendar year;**  
11              **(4) whose budget, rates and levies were disallowed by the**  
12              **department of local government finance in 2012 due to**  
13              **confusion as to whether the county council that created the**  
14              **fire protection district held a public hearing on said budget,**  
15              **rates, and levies;**  
16              **(5) whose 2012 budget, rates, and levies were nonetheless**  
17              **timely considered in an open meeting of the county council,**  
18              **and were timely reviewed and approved by the county**  
19              **council; and**  
20              **(6) that may experience a significant revenue shortfall in 2012**  
21              **and 2013, requiring the district to seek funds in addition to**  
22              **the amounts available to the district to provide essential fire**  
23              **protection to district residents.**  
24            **(b) A fire protection district described in this section may**  
25            **borrow a specified amount of money if:**  
26                **(1) the board of fire trustees of the district finds that:**  
27                    **(A) an emergency exists requiring the expenditure of**  
28                    **money not available to the fire district; and**  
29                    **(B) the emergency requiring the expenditure of money is**  
30                    **related to paying the operating expenses and obligations of**

- 1                   **the district; and**
- 2                   **(2) the fiscal body of the county approves the expenditure of**
- 3                   **the money.**
- 4                   **(c) A fire protection district shall comply with IC 36-8-11-17**
- 5                   **with respect to a borrowing under this section.**
- 6                   **(d) The county fiscal body shall levy property taxes in an**
- 7                   **amount sufficient to cover payments due under the borrowing**
- 8                   **authorized under this section.**
- 9                   **(e) This section expires December 31, 2014."**
- 10                  Renumber all SECTIONS consecutively.  
                      (Reference is to EHB as printed February 24, 2012.)

---

Senator HEAD