February 8, 2013

HOUSE BILL No. 1287

DIGEST OF HB 1287 (Updated February 5, 2013 1:56 pm - DI 87)

Citations Affected: IC 36-1.5.

Synopsis: Local government reorganization. Provides that in the case of a governmental reorganization involving municipalities and townships that are participating units in a fire protection territory on the date the reorganization is approved by voters, the fiscal body of the reorganized political subdivision may establish an equipment replacement fund and impose a property tax for the fund in the same manner as participating units in a fire protection territory may do so. Specifies that if such a reorganized political subdivision establishes an equipment replacement fund, the department of local government finance (DLGF) may adjust the maximum property tax levy that would otherwise apply to the reorganized political subdivision in the same manner as the DLGF may adjust the maximum property tax levy of a civil taxing unit to meet the civil taxing unit's obligations to a fire protection territory.

Effective: July 1, 2013.

Thompson

January 14, 2013, read first time and referred to Committee on Government and Regulatory Reform.
February 7, 2013, reported — Do Pass.

C o p y

February 8, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

HOUSE BILL No. 1287

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:

SECTION 1. IC 36-1.5-4-34.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 34.5. (a) This section applies to a reorganization under this chapter that:**

(1) occurs after June 30, 2006; and

(2) involves one (1) or more municipalities and one (1) or more townships, all of which are participating units in a fire protection territory on the date the reorganization is approved by voters.

(b) The fiscal body of a reorganized political subdivision that results from a reorganization described in subsection (a) may:

(1) establish an equipment replacement fund under IC 36-8-19-8.5 and impose a property tax for the fund as provided in IC 36-8-19-8.5; and

(2) take any other action under IC 36-8-19-8.5 that may be taken under that section by a participating unit in a fire protection territory.

(c) If a reorganized political subdivision establishes an equipment replacement fund under IC 36-8-19-8.5 as authorized by this section, the department of local government finance may adjust the maximum permissible ad valorem property tax levy that would otherwise apply to the reorganized political subdivision in the same manner as the department may adjust the maximum permissible ad valorem property tax levy of a civil taxing unit under IC 6-1.1-18.5-10.5 to meet the civil taxing unit's obligations to a fire protection territory established under IC 36-8-19.

C o p y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

MAHAN, Chair

Committee Vote: yeas 11, nays 1.

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