

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 459 be amended to read as follows:

- 1 Page 2, delete lines 7 through 42.
- 2 Delete page 3.
- 3 Page 4, delete lines 1 through 18.
- 4 Page 4, delete lines 32 through 36, begin a new line block indented
- 5 and insert:
- 6 **"(2) If all or part of a municipality in the township is not**
- 7 **participating in the reorganization, the plan of reorganization**
- 8 **under section 18 of chapter must also specify how residents of**
- 9 **the nonparticipating municipality will be represented in the**
- 10 **reorganized political subdivision.**
- 11 **(3) Except as provided in subdivision (4):**
- 12 **(A) the reorganized political subdivision continues to be**
- 13 **responsible after the reorganization for providing**
- 14 **township services in all areas of the township, including**
- 15 **within the territory of a municipality in the township that**
- 16 **does not participate in the reorganization; and**
- 17 **(B) the reorganized political subdivision retains the powers**
- 18 **of a township after the reorganization in order to provide**
- 19 **township services as required by clause (A).**
- 20 **(4) Powers and duties of the reorganized political subdivision**
- 21 **may be transferred as authorized in an interlocal cooperation**
- 22 **agreement approved under IC 36-1-7 or as authorized in a**
- 23 **cooperative agreement approved under IC 36-1.5-5.**
- 24 **(5) Section 40 of this chapter applies to the debt service levy**
- 25 **of the reorganized political subdivision and to the department**
- 26 **of local government finance's determination of the new**
- 27 **maximum permissible ad valorem property for the**
- 28 **reorganized political subdivision.**
- 29 **(6) The reorganized political subdivision may not borrow**
- 30 **money under IC 36-6-6-14(b) or IC 36-6-6-14(c).**

- 1 **(7) The new maximum permissible ad valorem property tax**
- 2 **levy for the reorganized political subdivision's firefighting**
- 3 **fund under IC 36-8-13-4 is equal to:**
- 4 **(A) the result of:**
- 5 **(i) the maximum permissible ad valorem property tax**
- 6 **levy for the township's firefighting fund under**
- 7 **IC 36-8-13-4 in the year preceding the year in which the**
- 8 **reorganization is effective; multiplied by**
- 9 **(ii) the assessed value growth quotient applicable for**
- 10 **property taxes first due and payable in the year in which**
- 11 **the reorganization is effective; plus**
- 12 **(B) any amounts borrowed by the township under**
- 13 **36-6-6-14(b) or IC 36-6-6-14(c) in the year preceding the**
- 14 **year in which the reorganization is effective.".**

15 Renumber all SECTIONS consecutively.

(Reference is to SB 459 as printed February 13, 2013.)

Senator MILLER PETE