ARTICLE 9. CAPITAL PROJECTS FUND

Rule 1. Administration of Capital Projects Fund

50 IAC 9-1-1 Purpose

Authority: IC 20-40-8-6
Affected: IC 20-40-8-6

Sec. 1. The purpose of this rule is to prescribe definitions and procedures for use with respect to school corporation capital projects funds established under IC 20-40-8-6. *(Department of Local Government Finance; 50 IAC 9-1-1; filed Jul 12, 1988, 5:00 p.m.: 11 IR 4071; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1942; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-2 General definitions

Authority: IC 21-2-15
Affected: IC 9

Sec. 2. As used in this rule *[50 IAC 9-1]*:

"Repair" means the restoration of a piece of equipment, a building, or grounds to the original condition of completeness from a worn, damaged, or deteriorated condition. *(Department of Local Government Finance; 50 IAC 9-1-2; filed Jul 12, 1988, 5:00 pm: 11 IR 4071)*

50 IAC 9-1-3 "Equipment" defined

Authority: IC 21-2-15
Affected: IC 9

Sec. 3. (a) Except as provided in subsection (b), as used in this rule *[50 IAC 9-1]*, "equipment" means a mobile or fixed unit of furniture or furnishings, a machine, an apparatus, an article, or a set of articles that meets all of the following conditions:

(1) It retains its original shape and appearance with use.
(2) It is non-expendable, which means that if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it than to replace it with an entirely new unit.
(3) It represents an investment of money that makes it feasible and advisable to capitalize the item.
(4) It does not lose its identity through incorporation into a different or more complex unit or substance.

(b) As used in this rule *[50 IAC 9-1]*, "equipment" does not include:

(1) a vehicle subject to licensing under IC 9; or
(2) a musical instrument that typically is transportable by a student between home and school.

(Department of Local Government Finance; 50 IAC 9-1-3; filed Jul 12, 1988, 5:00 pm: 11 IR 4071)

50 IAC 9-1-4 Resolution and plan

Authority: IC 21-2-15
Affected: IC 5-3-1-2; IC 20-46-6-11; IC 20-47-2; IC 20-47-3

Sec. 4. (a) On or before the last Thursday in August of the preceding year in which a school corporation establishes a capital projects fund, or continues to levy taxes for an established fund, the governing body must hold a hearing and pass a resolution to adopt a plan. The governing body must publish a notice in accordance with IC 20-46-6-11 that indicates for each year of the plan the total amount of proposed expenditures in each of the following categories:

(1) Land acquisition and development of sites for school purposes.
(2) Fees for professional services paid to:
    (A) architects;
    (B) engineers;
    (C) attorneys;
    (D) project managers;

(E) construction managers; and
(F) fiscal consultants;
for land acquisition, site development, and building improvements.
(3) Education specifications development including feasibility studies and educational specifications for building design for use by architects and others.
(4) Building acquisition, construction, and improvement including:
(A) purchase and construction of buildings;
(B) improvements or alterations to existing buildings;
(C) installation or extension of service systems for new or existing buildings;
(D) building sites for use by the school corporation; and
(E) the purchase of building materials for vocational building and trade classes.
(5) Rental or lease payments for new or existing real property, computers, or equipment, excluding payments to a holding company as authorized under IC 20-47.
(6) Purchase of mobile or fixed equipment including computer hardware and computer software.
(7) Emergency allocation for repair, replacement, or site acquisition that is necessitated by an emergency.
(8) Care, upkeep, or maintenance of equipment owned or used by the school corporation, including salaries of full-time or part-time computer repair personnel.
(9) Allocation for future projects including accumulation of funds for projects that the school corporation has articulated with reasonable specificity within the plan, including size, purpose, features, estimated cost in constant dollars, and site or possible sites.
(b) The notice must also indicate with respect to the upcoming budget year:
(1) the sources of revenue for the proposed expenditures; and
(2) the amount of revenue (from property taxes or otherwise) to be retained in the fund for expenditures proposed for a later year.
(Department of Local Government Finance; 50 IAC 9-1-4; filed Jul 12, 1988, 5:00 p.m.: 11 IR 4072; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1942; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)

50 IAC 9-1-5 Notice of adoption of plan; objections; final order by state board of tax commissioners
Authority: IC 21-2-15
Affected: IC 5-3-1-2; IC 20-46-6-12

Sec. 5. (a) After the public hearing and the adoption of the resolution, the governing body must publish notice of the adoption of the plan in accordance with IC 20-46-6-12 and the state board of accounts "Guide to Publication of Legal Notices".

(b) The notice under subsection (a) must be published no later than twenty (20) days after the county auditor posts and publishes the following year's tax rate and budget, as set by the county.

(c) Ten (10) or more taxpayers who will be affected by the plan may file a petition with written objections to the plan with the county auditor in a county in which the school corporation is located. Objections must be filed within ten (10) days after the plan is published. The county auditor shall immediately certify the petition to the department of local government finance.

(d) The department of local government finance shall set a hearing on the petition within a reasonable time after the petition is certified to the department of local government finance.

(e) The department of local government finance shall notify the governing body and the first ten (10) taxpayers whose names appear in the petition of the date, time, and location of the hearing. The department of local government finance shall hold the hearing in a county where the school corporation is located and shall give the school corporation and petitioners at least five (5) days notice.

(f) After a hearing on the petition, the department of local government finance shall issue a final order approving, disapproving, or modifying the plan. The department of local government finance may seek the recommendation of the school property tax control board. The department of local government finance shall certify its order to the governing body and the county auditor. *(Department of Local Government Finance; 50 IAC 9-1-5; filed Jul 12, 1988, 5:00 p.m.: 11 IR 4072; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1943; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-6 Plan format

Authority: IC 21-2-15
Affected: IC 21-2-15

Sec. 6. (a) The format for the capital projects fund plan is as follows:

(1) General description of school corporation as follows:
- (A) Total land area.
- (B) Location.
- (C) Composition of governing body.
- (D) Number of employees.
- (E) Current annual operating budgets in general transportation, debt service, and capital projects funds.
- (F) Current annual property tax levies for all funds.

(2) Listing of present facilities operated and maintained by the school corporation as follows:
- (A) With respect to each facility, the following:
  - (i) Name and location.
  - (ii) Grades housed or other use.
  - (iii) Year constructed.
  - (iv) Estimated current value.
  - (v) Detailed evaluation of condition.
- (B) Identification and description of all land owned for future needs.

(3) Student enrollment, as follows:
- (A) Five (5) year history of student enrollments by facility, including the current school year.
- (B) Projected total student enrollment of the school corporation for each of the ensuing five (5) years.

(4) Anticipated capital projects fund resources that will be available for the term of the proposed plan for each year of the plan, as follows:
- (A) Sources and amounts of anticipated income.
- (B) Amount of revenue (from property taxes or otherwise) to be retained for expenditures proposed for a later year.
- (C) Projected assessed valuation of the school corporation for each year of the plan.
- (D) Property tax rates and levies for the capital projects fund based on the assessed valuations under clause (C).

(5) Proposed use of the capital projects fund, as follows:
- (A) Includes, by plan year and location, the proposed expenditures from the fund for all specific uses within the following topic areas:
  - (i) Land acquisition and development.
  - (ii) Professional services.
  - (iii) Education specifications development.
  - (iv) Building acquisition, construction, and improvement.
  - (v) Rental of buildings and equipment.
  - (vi) Purchase of mobile or fixed equipment.
  - (vii) Emergency allocation (repair, replacement, or site acquisition that is necessitated by an emergency).
  - (viii) Maintenance of equipment.
- (B) Includes, by plan year and by project or specific purpose, allocation for proposed expenditures beyond the upcoming budget year.

(b) All school corporations shall use the capital projects fund plan format separately prescribed and distributed by the department of local government finance. *(Department of Local Government Finance; 50 IAC 9-1-6; filed Jul 12, 1988, 5:00 p.m.: 11 IR 4072; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1943; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-7 Contingent appropriation approvals

Authority: IC 21-2-15
Affected: IC 21-2-15

Sec. 7. If the department of education does not issue its approval of a project included in its capital projects fund before the annual hearing on the school corporation's budget by the department of local government finance, the department of local government finance will approve a levy that will result in sufficient funding of the budget appropriation for the project, and will approve that budget appropriation subject to the issuance of a project approval by the department of education. If the department of education does not issue its approval of the project before the department of local government finance's next annual budget hearing, the department of local government finance will apply the revenue to the current capital projects fund budget. *(Department of Local Government Finance; 50 IAC 9-1-7; filed Jul 12, 1988, 5:00 pm: 11 IR 4073; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-8 Appropriation in earlier year than planned

Authority: IC 20-46-6
Affected: IC 6-1.1-18-5; IC 20-46-6

Sec. 8. The department of local government finance may approve appropriations from the capital projects fund only if they conform to a plan that has been adopted in accordance with IC 20-46-6. If a school corporation seeks approval of an additional appropriation from the capital projects fund for an expenditure in a year that precedes the year in which the expenditure is indicated in the plan, the department of local government finance may find that the appropriation conforms to the plan if:

(1) the plan is specific as to the need to be addressed by the proposed expenditure and as to the manner in which it will be addressed; and

(2) the school corporation additional appropriation notice under IC 6-1.1-18-5 includes the fund name, the department of education project number (if issued), and a description of the purpose of the proposed expenditure.

(Department of Local Government Finance; 50 IAC 9-1-8; filed Jul 12, 1988, 5:00 pm: 11 IR 4073; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)

50 IAC 9-1-9 Fund use prohibited for interscholastic or extracurricular activities

Authority: IC 21-2-15
Affected: IC 21-2-15

Sec. 9. (a) The capital projects fund may not be used with respect to a facility or equipment that will be used primarily for interscholastic or extracurricular activities. Generally, outdoor spectator seating and lighting for night use of an outdoor facility are considered to be primarily for interscholastic or extracurricular use.

(b) If payment from the capital projects fund is allowable for the construction of a facility or the purchase of equipment (or would have been allowable if there had been a capital projects fund at the time of the construction or purchase), then payment from the fund is allowable for repair, replacement, or remodeling of the facility or for repair or replacement of the equipment. *(Department of Local Government Finance; 50 IAC 9-1-9; filed Jul 12, 1988, 5:00 pm: 11 IR 4073)*

50 IAC 9-1-10 Fund use prohibited for maintenance agreements (Repealed)

Sec. 10. *(Repealed by Department of Local Government Finance; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1945)*

50 IAC 9-1-11 Emergency procedures

Authority: IC 20-46-6
Affected: IC 20-46-6-17

Sec. 11. A representative of the school corporation must apply to the department of local government finance under IC 20-46-6-17 for a determination that an emergency has occurred. Except in the case of extenuating circumstances, that application must be made to the department of local government finance within five working days after the governing body learns that an emergency has occurred. The application may be made in writing, by telephone, or in person. The department of local government finance will determine whether an emergency has occurred and whether the governing body may continue to pursue the emergency

procedures described in IC 20-46-6-17. The department of local government finance will give the governing body notice of its decision in writing no more than five working days after receipt of the application. *(Department of Local Government Finance; 50 IAC 9-1-11; filed Jul 12, 1988, 5:00 pm: 11 IR 4074; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-12 Amendment procedure

Authority: IC 20-46-6
Affected: IC 20-46-6-18

Sec. 12. (a) A school corporation may amend its plan to provide initial or supplemental money for land acquisition and development, professional services, education specifications development, building acquisition, construction, and improvement, or an emergency allocation without a determination of an emergency by the department of local government finance.

(b) To amend a plan when there is no emergency, the governing body of the school corporation must hold a public hearing and declare the nature of and need for the amendment. The plan amendment and notice of the hearing must be published in accordance with IC 20-46-6-18 and the state board of accounts "Guide to Publication of Legal Notices".

(c) The governing body must pass a resolution adopting the plan amendment at a public hearing.

(d) The plan amendment must comply with the requirements of a plan as prescribed under section 5 of this rule. The proposed amendment of the plan must be submitted to the department of local government finance for its approval, disapproval, or modification.

(e) The plan amendment may be adopted at any time of the year. It does not need to meet the deadline prescribed under section 4 of this rule.

(f) The governing body shall publish notice of the adoption of the plan amendment no later than twenty (20) days after the county auditor posts and publishes the following year's tax rate and budget as approved by the county. Under the procedures prescribed under section 5 of this rule, taxpayers may object to the plan amendment requiring the department of local government finance to hold a hearing and issue a final order on the plan amendment. *(Department of Local Government Finance; 50 IAC 9-1-12; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1944; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-1-13 Transfer procedure

Authority: IC 6-1.1-18-6
Affected: IC 21-2-15

Sec. 13. (a) A school corporation may expend money under a different classification than is designated under its approved plan as long as:

(1) the expenditure is for the same location; and

(2) funds are available in another classification.

(b) The governing body must at a regular public meeting adopt a resolution determining the transfer in classifications is necessary.

(c) A transfer under this section does not require the approval of the department of local government finance.

(d) The school corporation must notify in writing the county auditor and the department of local government finance of the transfer. *(Department of Local Government Finance; 50 IAC 9-1-13; filed Jun 17, 1991, 4:30 p.m.: 14 IR 1944; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

Rule 2. Library Capital Projects Fund

50 IAC 9-2-1 General definitions

Authority: IC 36-12-12-12
Affected: IC 36-12-12

Sec. 1. (a) As used in this rule, "appropriate fiscal body" refers to:

(1) the town board of trustees if the library district is located entirely within the corporate boundaries of a town;

(2) the common council if the library district is located entirely within the corporate boundaries of a city;
(3) the township board if the library district is not located entirely within the corporate boundaries of a city or town but is located within the corporate boundaries of a township;
(4) the county council of each county in which the library is located if the library district is not located entirely within the corporate boundaries of a city, town, or township; or
(5) the city-county council if the library district is not located entirely within the corporate boundaries of a city, town, or township and is located in a county with a consolidated city.
(b) As used in this rule, "board" refers to the fiscal and administrative body of a public library.
(c) As used in this rule, "district" means the territory within the corporate boundaries of a public library.
(d) As used in this rule, "emergency" means the following:
(1) A fire, flood, windstorm, mechanical failure of any part of a structure, or other unforeseeable circumstance when referring to repair or replacement.
(2) The unforeseeable availability of real property for purchase when referring to site acquisition.
(e) As used in this rule, "equipment" means a mobile or fixed unit of furniture or furnishings, a machine, an apparatus, an article, or a set of articles that meets all of the following conditions:
(1) It retains its original shape and appearance with use.
(2) It is nonexpendable, which means that if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it than to replace it with an entirely new unit.
(3) It represents an investment of money that makes it feasible and advisable to capitalize the item.
(4) It does not lose its identity through incorporation into a different or more complex unit or substance.
Equipment includes computer hardware and software. *(Department of Local Government Finance; 50 IAC 9-2-1; filed Sep 21, 1990, 3:30 p.m.: 14 IR 254)*

50 IAC 9-2-2 Purpose of fund; levy
Authority: IC 36-12-12-12
Affected: IC 6-1.1-18.5-3; IC 36-12-12-2

Sec. 2. (a) A district may establish a capital projects fund.
(b) With respect to a facility used or to be used by a library, the board may expend money in the fund for the following:
(1) Planned construction, repair, replacement, or remodeling.
(2) Site acquisition.
(3) Site development.
(4) Repair, replacement, or site acquisition necessitated by an emergency.
(c) Money in the fund may be used to pay for the purchase, lease, or repair of equipment used or to be used by the library. Money in the fund may also be used for the maintenance or upgrading of computer hardware or software.
(d) A board may levy ad valorem property taxes at a rate not to exceed five cents ($.05) per one hundred dollars ($100) of assessed valuation.
(e) The maximum permissible levy limitations of IC 6-1.1-18.5-3 do not apply to that portion of ad valorem property taxes levied for a library capital projects fund at a rate not to exceed four cents ($.04) per hundred dollars ($100) of assessed valuation. *(Department of Local Government Finance; 50 IAC 9-2-2; filed Sep 21, 1990, 3:30 p.m.: 14 IR 254)*

50 IAC 9-2-3 Public hearing; notice
Authority: IC 36-12-12-12
Affected: IC 5-3-1-2; IC 36-12-12-3

Sec. 3. (a) After January 1 and before May 15 of the year preceding the year in which taxes are levied, the board must hold a public hearing on a proposed plan, pass a resolution to adopt a plan, and submit the plan to the appropriate fiscal body for approval or rejection.
(b) The board must publish a summary of the plan and notice of the public hearing one (1) time at least ten (10) days before

the date of the hearing in accordance with IC 5-3-1-2(b) and the state board of accounts "Guide to Publication of Legal Notices". *(Department of Local Government Finance; 50 IAC 9-2-3; filed Sep 21, 1990, 3:30 p.m.: 14 IR 254)*

50 IAC 9-2-4 Plan content and format

Authority: IC 36-12-12-3; IC 36-12-12-12
Affected: IC 36-12-12-3

Sec. 4. (a) The board shall prepare a plan that applies to at least the three (3) years immediately following the year in which the plan is adopted.

(b) The plan shall include the following information:

(1) General description of library district as follows:
- (A) Library taxing district.
- (B) Name and location.
- (C) Composition of governing body.
- (D) Number of employees.
- (E) Current annual budget in operating, library improvement reserve (LIRF), and bond and interest redemption (BIRF) funds.
- (F) Current annual property tax levies for all funds.

(2) Listing of present facilities operated and maintained by the library district as follows:
- (A) The following with respect to each facility:
  - (i) Name and location.
  - (ii) Year constructed, leased, or rented.
  - (iii) Estimated current value.
  - (iv) Detailed evaluation of condition.
- (B) Identification and description of all land owned for future needs.

(3) Description of library service area as follows:
- (A) Area in square miles.
- (B) Population served.
- (C) Annual statistics of service, i.e., circulation of materials, collection size, hours of service, etc.

(4) Anticipated capital projects fund resources that will be available for each year of the plan as follows:
- (A) Sources and amounts of anticipated income.
- (B) Amount of revenue (from property taxes or otherwise) to be retained for expenditures proposed for a later year.
- (C) Projected assessed valuation of the library district for each year of the plan.
- (D) Property tax rates and levies for the library capital projects fund based on the assessed valuations under clause (C).

(5) Proposed expenditures, by year and location, in the following topic areas as follows:
- (A) The following planned facility needs:
  - (i) New construction.
  - (ii) Repair.
  - (iii) Replacement.
  - (iv) Remodel.
  - (v) Lease or rental of existing real estate.
- (B) Acquisition of real property.
- (C) Site development.
- (D) Emergency allocation (repair, replacement, or site acquisition that is necessitated by an emergency).
- (E) The following equipment-purchase, lease, repair, and maintenance:
  - (i) Administration.
  - (ii) Public use.
  - (iii) Mechanical.
  - (iv) Furniture.

(F) The following computer hardware and software:

(i) Purchase or lease.

(ii) Maintenance and repair.

(G) Allocations for future projects.

(c) The plan summary shall include the following:

CURRENT EXPENDITURES:	20___	20___	20____
(1) Planned construction, repair, replacement, or remodeling.	_____	_____	_____
(2) Acquisition of real property.	_____	_____	_____
(3) Site development.	_____	_____	_____
(4) Emergency allocation.	_____	_____	_____
(5) Purchase, lease, repair, and maintenance of equipment.	_____	_____	_____
(6) Purchase, lease, repair, and maintenance of computer hardware and computer software.	_____	_____	_____
SUBTOTAL CURRENT EXPENDITURES	_____	_____	_____
(7) Allocation for future projects.	_____	_____	_____
TOTAL EXPENDITURES AND ALLOCATIONS (cumulative totals)	_____	_____	_____
SOURCES AND ESTIMATES OF REVENUE			
January 1, 20___ cash balance.	_____	_____	_____
Less encumbered appropriations.	_____	xxx	xxx
Cash balance available for current plan.	_____	_____	_____
Property taxes.	_____	_____	_____
Auto excise and bank tax receipts.	_____	_____	_____
Other revenue.	_____	_____	_____
TOTAL FUNDS AVAILABLE FOR PLAN	_____	_____	_____

(Department of Local Government Finance; 50 IAC 9-2-4; filed Sep 21, 1990, 3:30 p.m.: 14 IR 255; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)

50 IAC 9-2-5 Submission to appropriate fiscal body

Authority: IC 36-12-12-12

Affected: IC 5-3-1-2; IC 36-12-12-4; IC 36-12-12-5

Sec. 5. (a) Within ten (10) days of adopting a resolution for a capital projects fund plan, the board shall transmit a certified copy of the plan to the appropriate fiscal body.

(b) The appropriate fiscal body shall hold a public hearing on the plan within thirty (30) days of receiving it. The appropriate fiscal body may either approve or reject the plan by August 1 of the year in which it is received.

(c) If the appropriate fiscal body rejects the plan, it may return the plan to the board with its reasons for rejection.

(d) If the appropriate fiscal body approves the plan, the board shall submit the resolution, plan, and proof of publication to the department of local government finance.

(e) If the appropriate fiscal body approves the plan, the board shall also publish notice of adoption in accordance with IC 5-3-1-2(i). Notice of adoption must be published one (1) time in the appropriate newspaper or newspapers within thirty (30) days after the date of the appropriate fiscal body's approval of the plan. *(Department of Local Government Finance; 50 IAC 9-2-5; filed Sep 21, 1990, 3:30 p.m.: 14 IR 256; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA; filed Jan 30, 2013, 12:30 p.m.: 20130227-IR-050120552FRA)*

50 IAC 9-2-6 Objections

Authority: IC 36-12-12-12
Affected: IC 36-12-12-5

Sec. 6. (a) Ten (10) or more taxpayers who will be affected by the plan may file a petition with written objections to the plan with the county auditor in a county in which the library is located. Objections must be filed within ten (10) days after the plan is published. The county auditor shall immediately certify the objecting petition to the department of local government finance.

(b) The department of local government finance shall set a hearing on the petition within a reasonable time after the petition is filed with the department of local government finance.

(c) The department of local government finance shall notify the library board and the first ten (10) taxpayers whose names appear in the petition of the date, time, and location of the hearing. The department of local government finance shall hold the hearing in a county where the library is located and shall give the library and petitioners at least five (5) days notice.

(d) After a hearing on the petition, the department of local government finance shall issue a final order approving, disapproving, or modifying the plan. The department of local government finance shall certify its order to the board and the county auditor. *(Department of Local Government Finance; 50 IAC 9-2-6; filed Sep 21, 1990, 3:30 p.m.: 14 IR 256; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-2-7 Appropriations

Authority: IC 36-12-12-12
Affected: IC 6-1.1-18-5; IC 36-12-12-8

Sec. 7. The department of local government finance may approve appropriations from the capital projects fund only if they conform to a plan that has been adopted in accordance with this rule. If a library board seeks approval of an additional appropriation from the capital projects fund for an expenditure in a year that precedes the year in which the expenditure is indicated in the plan, the department of local government finance may find that the appropriation conforms to the plan if:

(1) the plan is specific as to the need to be addressed by the proposed expenditure and as to the manner in which it will be addressed; and

(2) the library board additional appropriation notice under IC 6-1.1-18-5 includes the fund name and a description of the purpose of the proposed expenditure.

(Department of Local Government Finance; 50 IAC 9-2-7; filed Sep 21, 1990, 3:30 p.m.: 14 IR 256; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)

50 IAC 9-2-8 Emergency procedures

Authority: IC 36-12-12-12
Affected: IC 36-12-12-9

Sec. 8. (a) If the cost of an emergency exceeds the allocation for emergencies, a library must apply to the department of local government finance for a determination that an emergency has occurred. Except in the case of extenuating circumstances, the application must be made to the department of local government finance within five (5) working days after the library board learns that an emergency has occurred. The application may be made in writing, by telephone, or in person. The department of local government finance will determine whether an emergency has occurred. The department of local government finance will give the library notice of its decision in writing no more than five (5) working days after receipt of the application.

(b) If the department of local government finance determines that an emergency exists, the library may adopt a resolution to amend its plan. The amendment is not subject to the deadline and adoption procedures prescribed in sections 3 through 4 of this rule. However, the department of local government finance may modify the amendment.

(c) An emergency amendment may require the payment of eligible emergency costs from:

(1) money accumulated in the fund for other purposes; or

(2) money borrowed from other funds of the board or from a financial institution.

(d) With the approval of the appropriate fiscal body, a board may provide for an increase in the tax rate to restore money to

the fund or to pay principal and interest on a loan. The rate may not exceed the maximum rate as provided for under section 2 of this rule. *(Department of Local Government Finance; 50 IAC 9-2-8; filed Sep 21, 1990, 3:30 p.m.: 14 IR 256; errata filed Oct 25, 2006, 10:52 a.m.: 20061108-IR-050060502ACA)*

50 IAC 9-2-9 Interest

Authority: IC 36-12-12-12
Affected: IC 36-12-12-9

Sec. 9. Interest on the capital projects fund, including the fund's pro rata share of interest earned on the investment of total money on deposit, shall be deposited in the fund. The library board may allocate the interest among the accounts within the fund. *(Department of Local Government Finance; 50 IAC 9-2-9; filed Sep 21, 1990, 3:30 p.m.: 14 IR 257)*

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