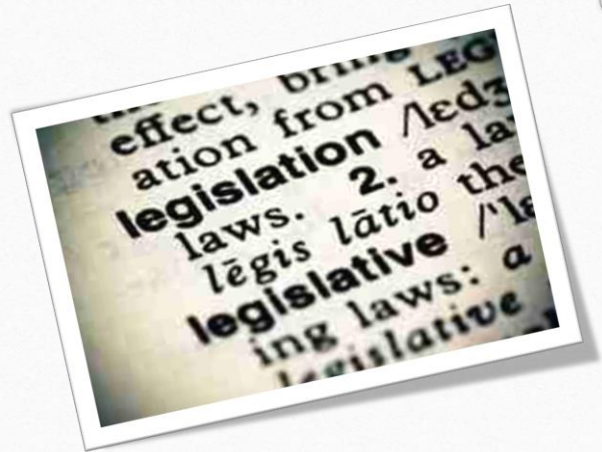


## Newly Enacted Legislation and Uniform Compliance Guidelines



*Presenters:*

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**Susan Gordon, CPA**  
**Directors of Audit Services**  
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### Finding House and Senate Bills online:

www.iga.in.gov

Indiana General Assembly  
2016 Session

Search Code Bills Legislators

Search the current session

Search the current session

Advanced Search

Upcoming Meetings

View calendar details + Sunday May 22 2016

No meetings scheduled for this day.

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### Finding House and Senate Bills online:

The screenshot shows a search interface with four tabs: Search, Code, Bills, and Legislators. The 'Bills' tab is selected. Below the tabs is a search box labeled 'Enter bill number' with a dropdown menu containing 'Search for Bills...'. At the bottom, there are four radio button options: 'All' (selected), 'Senate', 'House', and 'Enrolled'.

➤ Select the “Bills” tab

➤ In the “search” box, type the number of the Senate Enrolled Act (SEA) or House Enrolled Act (HEA) you are looking for

### Finding House and Senate Bills online:

The screenshot shows the Indiana General Assembly website for the 2016 Session. The 'Bills' tab is selected in the search interface. The main content area displays details for Senate Bill 67, which is an Enrolled Senate Bill (S). The page includes a sidebar with navigation options such as 'Latest version', 'Latest Fiscal Note', 'Bill Details', 'Bill Actions', 'Senate Amendments', 'House Amendments', 'Senate Roll Calls', 'House Roll Calls', 'Bill Versions', 'Committee Reports', and 'CCR/Concurrence/Dissent'. The main content area includes the following information:

- Senate Bill 67**
- Enrolled Senate Bill (S)**
- Authored by** Sen. Brandt Hershman, Sen. Luke Kenley, Sen. Carlin Yoder.
- Co-Authored by** Sen. Eric Bassler, Sen. Vanetta Becker, Sen. Philip Booth, Sen. Ed Charbonneau, Sen. Michael Crider, Sen. Douglas Eckerty, Sen. Ronald Grooms, Sen. Randall Head, Sen. Travis Holdman, Sen. Erin Houchen, Sen. Dennis Kruse, Sen. Jean Lesing, Sen. James Merritt, Sen. Mark Messmer, Sen. Patricia Miller, Sen. Ryan Mohler, Sen. Jeff Raatz, Sen. James Smith, Sen. Brent Steele, Sen. Greg Walker, Sen. R Michael Young, Sen. Joseph Zakas, Sen. Lonnie Randolph, Sen. Frank Mrvan, Sen. Chip Perfect, Sen. James Buck.
- Sponsored by** Rep. Timothy Brown, Rep. Edmond Soliday, Rep. Gal Recken, Rep. Milo Smith.
- Authors / Sponsors / Conferees / Advisors**
- DIGEST**
- Local income tax distributions. Provides for a supplemental distribution of local income taxes when the balance in a county's local income tax trust account exceeds 15% (rather than 50% under current law) of the certified distributions to be made to the county. Specifies the accounting, allocation method, and distribution requirements for supplemental distributions. Requires before May 2016 a one-time special allocation of the balance in a county's trust account as of December 31, 2014. Provides that a taxing unit's allocation amount is to be determined in the same manner as a supplemental distribution would have generally been determined under [the law](#).

At the bottom of the page, there is a footer with links: Site Map, Contact Us, About LSA, Find Your Legislator, Accessibility, in.gov, Find an Agency, Find a Person.

## Finding House and Senate Bills online:



Indiana General Assembly  
2016 Session

Search Code Bills Legislators

Enter bill number

-- Select or type to filter items --

All Senate House Enrolled

Latest version

Latest Fiscal Note

Bill Details

Bill Actions

Senate Amendments

House Amendments

### Senate Bill 67

Enrolled Senate Bill (S)

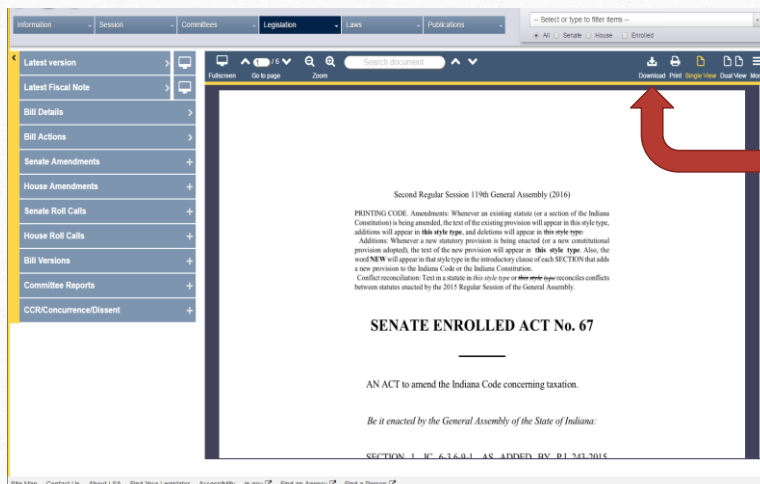
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Sponsored by Rep. Timothy Brown, Rep. Edmond Soliday, Rep. Gail Riecken, Rep. Milo Smith.

Click on "Latest version" – this gives you the most current or recent version of a bill

## Finding House and Senate Bills online:



Information Session Committees Legislation Laws Publications

-- Select or type to filter items --

All Senate House Enrolled

Latest version

Latest Fiscal Note

Bill Details

Bill Actions

Senate Amendments

House Amendments

Senate Roll Calls

House Roll Calls

Bill Versions

Committee Reports

CCR/Concurrence/Disent

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Second Regular Session 119th General Assembly (2016)

**PENDING 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 2015 Regular Session of the General Assembly.

### SENATE ENROLLED ACT No. 67

AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 6-3.6-0.1 - AS ADDED BY P.L. 243-2015

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Once here, you can click "Download" and the Bill will download into a pdf file.

The pdf file is easier to read and can be sorted for keywords



**2016**

**Senate Enrolled Acts**

**Cities & Towns**

***2016 SENATE ACTS AFFECTING CITIES AND TOWNS***

**P.L. 126-2016 / Senate Enrolled Act 67**

**Local Income Tax Distribution**

- Supplemental distribution of local income taxes
- One-time allocation of the balance in a county's trust account as of 12/31/14
- Each county received the allocation from the State on 04/25/16.
- County Auditor must distribute each taxing unit's allocation before June 1, 2016



## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 126-2016 / Senate Enrolled Act 67**

#### **Local Income Tax Distribution - *continued***

Per IC 6-3.6-9-17(h), "at least" 75% must be used exclusively for:

- (i) engineering, land acquisition, construction, resurfacing, maintenance, restoration, or rehabilitation of both local and arterial road and street systems;
- (ii) principal & interest on bonds sold primarily to finance road, street, or thoroughfare projects;
- (iii) any local costs required to undertake a recreational or reservoir road project under IC 8-23-5;
- (iv) purchase, rental, or repair of highway equipment;
- (v) match for a grant from local road & bridge grant fund;
- (vi) capital projects for aviation related property or facilities.

1) At least seventy-five percent (75%) of the special distribution must be:

(A) used exclusively by the county, city, or town for:

- (i) engineering, land acquisition, construction, resurfacing, maintenance, restoration, or rehabilitation of both local and arterial road and street systems;
- (ii) the payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects;
- (iii) any local costs required to undertake a recreational or reservoir road project under IC 8-23-5;
- (iv) the purchase, rental, or repair of highway equipment;
- (v) providing a match for a grant from the local road and bridge matching grant fund under IC 8-23-30; or
- (vi) capital projects for aviation related property or facilities, including capital projects of a board of aviation commissioners established under IC 8-22-2 or an airport authority established under IC 8-22-3-1; or

(B) deposited in the county's, city's, or town's rainy day fund established under IC 36-1-8-5.1. The money deposited in a rainy day fund under this clause may not be appropriated from the rainy day fund or transferred to another fund under IC 36-1-8-5.1(g), unless the money will be used exclusively for purposes set forth in clause (A).

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 126-2016 / Senate Enrolled Act 67**

#### **Local Income Tax Distribution - *continued***

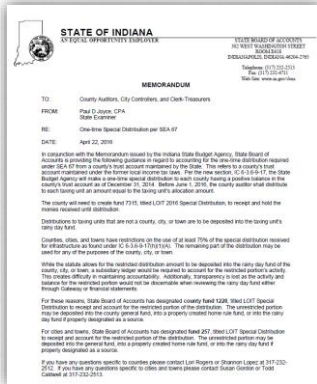


- The remaining portion may be used for any other city or town purpose.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 126-2016 / Senate Enrolled Act 67**

#### **Local Income Tax Distribution - *continued***



### Accounting for LOIT Special Distribution:

SBOA Memo dated 4/22/16

- Create fund 257 “LOIT Special Distribution”
- Receipt restricted portion (“at least 75%”) in this fund
- Post disbursements from this fund for permitted uses

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 126-2016 / Senate Enrolled Act 67**

#### **Local Income Tax Distribution - *continued***

Unrestricted portion:

Deposited into:

- General fund
- Fund created under Home Rule
- Rainy Day



[www.wipfli.com](http://www.wipfli.com)



**2016 SENATE ACTS AFFECTING CITIES AND TOWNS****P.L. 120-2016 / Senate Enrolled Act 20****Workforce Policies**

A local governmental unit may not establish, mandate, or otherwise require an employer to provide to an employee who is employed within the jurisdiction of the unit a scheduling policy that exceeds the requirements of federal or state law, rules, or regulations, unless federal or state law provides otherwise.

**2016 SENATE ACTS AFFECTING CITIES AND TOWNS****P.L. 121-2016 / Senate Enrolled Act 21****Obsolete Statutes**

Repeals or expires various provisions in the Indiana Code:

- A 2011 report concerning the department of local government finance progress in complying with requirement for local unit access to financial data.
- An economic development corporation report concerning economic sectors to be emphasized in geographic regions.



**2016 SENATE ACTS AFFECTING CITIES AND TOWNS****P.L. 121-2016 / Senate Enrolled Act 21****Obsolete Statutes - *continued***

Repeals or expires various provisions in the Indiana Code:

- A report series ending in 2014 concerning economic development corporation collaboration with local economic development organizations.
- A 2010 department of labor report concerning employee classification recommendations.
- An evaluation and report concerning Indianapolis police consolidation completed in 2014.

**2016 SENATE ACTS AFFECTING CITIES AND TOWNS****P.L. 121-2016 / Senate Enrolled Act 21****Obsolete Statutes - *continued***

Repeals or expires various provisions in the Indiana Code (continued):

- The statute that, until July 1, 2014, provided for local governmental units to purchase health insurance coverage through the state personnel department.
- Strikes obsolete references to audit reports that were removed from the Indiana Code in 2015. Makes conforming amendments.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 21-2016 / Senate Enrolled Act 61**

#### **Voting Matters**

- Provides that when a voter casts a straight party ticket, the voter is casting a ballot for all candidates of that party whose names appear on the ballot, except candidates for offices in a municipality for which more than one individual can be elected (city common council member at large; town council member at large).



[www.huffingtonpost.com](http://www.huffingtonpost.com)

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 21-2016 / Senate Enrolled Act 61**

#### **Voting Matters - Continued**



- Groups offices together on general election ballot; requires individual vote for each candidate
- Revises ballot instructions to reflect changes
- Permits counties to use certain voting system whose certification have expired under certain conditions.

[www.usatoday.com](http://www.usatoday.com)



## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 208-2016 / Senate Enrolled Act 126**

#### **Political Subdivision Information on the Internet**

Amends IC 5-14-3.8-3 & requires DLGF to post the following on the Indiana transparency website:

- Expenditures categorized by personal services, other operating or total operating, and debt services (including lease payments) related to debt.
- Listing of fund balances

After 7/31/17, DLGF to publish annual financial and operational summary on the transparency website.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 208-2016 / Senate Enrolled Act 126**

#### **Political Subdivision Information on the Internet - *continued***

- Requires a political subdivision that has a public internet site to publish a link to the transparency website.
- Does **not** require a political subdivision to establish a website.
- [www.in.gov/itp](http://www.in.gov/itp)



## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 211-2016 / Senate Enrolled Act 232**

#### **Land Banks**

Consolidated city or second class city to which the unsafe building law applies can establish a municipal corporation known as a “land bank” to manage & improve the marketability of distressed real property.

Can enter into an agreement that conditions the purchase, transfer, or lease of property upon the person fulfilling conditions related to the mission of the land bank.

Specifies that the procedures for disposal of real or personal property by a local government do not apply to the land bank.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 98-2016 / Senate Enrolled Act 257**

#### **Distressed Water & Wastewater Utilities**

Privately owned utility acquiring distressed municipal utilities

- Municipally owned utility servings < 5,000 customers [increased from 3,000]

Sale of nonsurplus municipally owned property:

- (1) Municipal executive & legislative body may make determination to sell
- (2) Replaces requirement requiring an ordinance to appoint appraisers; now can be a written document that is subject to public inspection

Proceeds from sale go in General fund unless an ordinance provides for a restricted fund.

Municipally owned property can be sold for less than appraised value if legislative body determines it's in the municipality's best interest & results in lower utility rates.



## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 180-2016 / Senate Enrolled Act 308**

#### **Local Tax Matters**

##### **Agricultural land assessment formula changes**

- Lower base rate for farmland through at least 2019
- Shift taxes from farmland to other taxpayers

##### **Levy growth allowance for fast growing communities**

- Allows 3 rapidly growing municipalities to automatically increase levy
- Rapid growth requires need for services

##### **County Council override of PSAP rate**

- Applies to counties where the adopting body is the Local Income Tax Council
- County Council can designate .1% to existing LIT expenditure rate to a PSAP

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 183-2016 / Senate Enrolled Act 310**

#### **Lake County Pilot Program & Other Local Matters**

Establishes a 3 year program applicable only in Lake County that authorizes a redevelopment commission to:

- Establish an area known as a new opportunity area
- Sell any property that is held by the redevelopment commission and located in a new opportunity area at auction to the highest and responsible and responsive bidder.

Adds Kosciusko County to the list of counties whose municipalities may annex noncontiguous territory for industrial park purposes

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 184-2016 / Senate Enrolled Act 321**

#### **Local Government Budgeting**



[www.aspanational.files.wordpress.com](http://www.aspanational.files.wordpress.com)

After 2018, DLGF shall certify a political subdivision's budget, tax rate, and tax levy not later than 12/31 of the year preceding the budget year.

Retains the Nov. 1<sup>st</sup> deadline for a political subdivision to adopt a budget.

Repeals statutes concerning county fiscal body nonbinding review of local budgets, tax levies, and tax rates and the nonbinding review pilot program.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 142-2016 / Senate Enrolled Act 327**

#### **Transparency Portal - Contracts**

Requires contracts to be scanned and uploaded to the Indiana transparency website during each year that the contract amount to be paid exceeds

- (1) 10% of the political subdivisions property tax levy, or
- (2) \$50,000

Contract to be uploaded not later than 60 days after the date the contract is executed.



## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 144-2016 / Senate Enrolled Act 375**

#### **Prequalification for Public Works Project**

Delays until 12/31/16 the date after which public works projects must comply with the requirement a contractor be qualified under IC 4-13.6-4 or IC 8-23-10.

Requires a contractor working on a public works project be qualified by the Indiana Department of Administration's certification board

Makes provisions for exemptions

Prohibits a city or town from establishing wage rates unless federal or state law provides otherwise.

## **2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

### **P.L. 55-2016 / Senate Enrolled Act 380**

#### **Redevelopment Commissions**

Allows members of a redevelopment commission or a board of directors of a redevelopment authority to vote at electronic meetings.

- A member may participate by electronic means that allows everyone to simultaneously communicate with each other
- Member is considered present in regards to a quorum
- One-third of members must be physically present
- Votes must be taken my roll call
- Members must physically attend at least one meeting per year.



[www.hwaoconsulting.com](http://www.hwaoconsulting.com)

**2016 SENATE ACTS AFFECTING CITIES AND TOWNS**

**P.L. 55-2016 / Senate Enrolled Act 380**

**Redevelopment Commissions - *continued***

Requires the commission to adopt policies governing member participation in electronic meetings

Provides that a nonvoting adviser appointed to a redevelopment commission may be recommended by the school board [instead of a member of the school board]