

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204**

**IN THE MATTER OF THE REVIEW)
OF PROPOSED LANGUAGE FOR A)
BALLOT QUESTION REGARDING) No. 22-018-REF
METROPOLITAN SCHOOL DISTRICT)
OF WABASH COUNTY)**

**FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION SUBMITTED JULY
13, 2022**

1. Metropolitan School District of Wabash County (“Corporation”), proposes to issue bonds or enter into a lease to acquire real estate and construct a new high school, and to renovate and repurpose Northfield Jr./Sr. High School and Southwood Jr./Sr. High School, which is estimated to cost \$115,000,000 over 20 years.
1. Under Indiana law, the voters in the area served by the Corporation will vote in a referendum to approve or deny borrowing for the project and raise property taxes to support it.
2. Indiana law governs the format and wording of the ballot question for the referendum. Indiana Code 6-1.1-20-3.6(c).
3. Under Indiana law, “the **following question shall** be submitted to the eligible voters at the election”::

“Shall _____ (insert the name of the political subdivision) increase property taxes paid to the _____ (insert the type of taxing unit) by homeowners and businesses? If this public question is approved by the voters, the average property tax paid to the _____ (insert the type of taxing unit) per year on a residence would increase by _____% (insert the estimated average percentage of property tax increase paid to the political subdivision on a residence within the political subdivision as determined under IC 6-1.1-20-3.6(n)) and the average property tax paid to the _____ (insert the type of taxing unit) per year on a business property would increase by _____% (insert the estimated average percentage of property tax increase paid to the political subdivision on a business property within the political subdivision as determined under IC 6-1.1-20-3.6(o)). The political subdivision may issue bonds or enter into a lease to (insert a brief description of the controlled project), which is estimated to cost _____ (insert the total cost of the project) over _____ (insert number of years to bond maturity or termination of lease) years. The most recent property tax referendum within the boundaries of the political subdivision for which the public question is being considered was proposed by _____ (insert name of political subdivision) in _____ (insert

year of most recent property tax referendum) and _____ (insert whether the measure passed or failed).”

Indiana Code 6-1.1-20-3.6(c) (emphasis added).

4. The ballot question then must contain five parts:
 - The name of the political subdivision.
 - A brief description of the project.
 - The estimated total project cost.
 - The year in which the most recent property tax referendum within the boundaries of the political subdivision was held and whether the referendum passed or failed.
 - The estimated average percent increase of taxes paid to the school corporation on residential and business property if the taxes are approved in the referendum, as certified by the county auditor.
5. The law also requires the Department to either approve the ballot language or recommend that it be modified to ensure that the description of the controlled project is accurate and not biased.
6. On July 13, 2022, the Department received the Corporation’s proposed question from the Wabash County Election Board. The proposed ballot question is as follows:

"Shall the Metropolitan School District of Wabash County increase property taxes paid to the School Corporation by homeowners and businesses? If this public question is approved by the voters, the average property tax paid to the School Corporation per year on a residence would increase by 124.5% and the average Property tax paid to the School Corporation per year on a business property would increase by 99.3%. The School Corporation may issue bonds or enter into a lease to acquire real estate and construct a new high school, and to renovate and repurpose Northfield Jr./Sr. High School and Southwood Jr./Sr. High School, which is estimated to cost \$115,000,000 over 20 years."
7. On July 21, 2022, the Department received from the Corporation, pursuant to IC 6-1.1-20-3.6(p), the certified statement of the estimated average percent increase to homesteads and business property, respectively, of the property taxes that would be imposed by the Corporation if the referendum passes, as certified by the Wabash County Auditor.
8. The Wabash County Auditor’s certification represents that the tax rate to be imposed should the referendum succeed is \$0.83.
9. The Corporation has not previously held a property tax referendum.

Accuracy and Bias

10. The Department must review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor

of or a vote against the controlled project. The Department concludes that the description of the controlled project is not biased against either a vote in favor of or a vote against the controlled project.

Compliance of Language

11. The Department must review the proposed language for compliance with IC 6-1.1-20-3.6(c). The Department may either approve or reject the language. The proposed question deviates from the form of the question in three ways. First, in stating the average property tax paid on business property, the word “property” is capitalized. Second, stating “the School Corporation may issue bonds” instead of “the political subdivision may issue bonds”. The Department finds that these two deviations would not obstruct how the voter reads and understands the question. Finally, the proposed question does not include a statement about a previously held referendum by the Corporation. As noted above, the Corporation has not previously held a referendum, such that the statement cannot be completed. The Department therefore concludes that the language is in compliance with IC 6-1.1-20-3.6(c).

Estimate of Average Percent Increase in Taxes

12. The estimated average percent increase in taxes, as certified by the Wabash County Auditor under IC 6-1.1-20-3.6(p), is **124.5%** for homesteads and **99.3%** for business property.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language is in compliance with IC 6-1.1-20-3.6(c) and approves the language as proposed.

Dated this 22nd day of July, 2022.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Wesley R. Bennett
Wesley R. Bennett, Commissioner
Department of Local Government Finance