

# THE COUNTY BULLETIN

And Uniform Compliance Guidelines

ISSUED BY STATE BOARD OF ACCOUNTS

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## **SPECIAL EDITION**

### **NEW LAWS AFFECTING VARIOUS COUNTY OFFICES**

The following is a digest of some of the laws passed in the 2017 Session of the General Assembly affecting various offices in county government. Some of the laws do not pertain directly to a particular county office, but are included in this digest for ready reference to the covered subject matter.

The digest is not intended as an expression of legal interpretations, nor is the digest intended to be all inclusive. Reference in the digest will be to the Indiana Code in the following form (Amends IC 33-17-10-5) which means (Amends Indiana Code, Title 33, Article 17, Chapter 10, Section 5). Please note the effective date of each law.

Additional information regarding the 2017 public laws may be found on the General Assembly website at [www.iga.in.gov](http://www.iga.in.gov). The "Session" tab contains a Table of Citations for all Indiana Code citations affected by the new legislation, a complete Digest of Enactments summarizing each new public law, an Enrolled Act Summary showing the effective dates of each public law section, and other cross references between public law number and bill number. The "Legislation" tab contains each new public law.

#### **PUBLIC LAW 4-2017 – SENATE ENROLLED ACT – 185 – EFFECTIVE JULY 1, 2017**

**LAW ENFORCEMENT TRAINING** – Amends IC 5-2-1-9 - Requires the following to complete a refresher course if inactive for a specified time: (1) Reserve police officers. (2) Law enforcement officers who paid their own tuition for law enforcement training. (3) Board certified law enforcement training instructors. Eliminates a provision regarding refresher courses for law enforcement officers in policy making positions.

#### **PUBLIC LAW 5-2017 - SENATE ENROLLED ACT 263 – EFFECTIVE JULY 1, 2017**

**LOCAL BOARD OF HEALTH APPOINTMENTS** – Amends IC 16-20-2-7 - Provides for the county executive to appoint the members of the local board of health in a county having a population greater than 300,000 and less than 400,000.

#### **PUBLIC LAW 6-2017 – SENATE ENROLLED ACT 456 – EFFECTIVE JULY 1, 2017**

**WAR MEMORIALS** – Amends IC 10-18-2-23 - Provides that the fiscal body of a city, county, or township may by ordinance or resolution authorize the sale or donation of a war memorial to certain organizations exempt from federal income taxation. Requires an organization acquiring a war memorial to continue to operate and maintain the war memorial. Provides that ownership of the war memorial reverts to the city, county, or township if the acquiring organization determines that it is unable to continue operating the war memorial, is dissolved, or otherwise ceases to exist.

#### **PUBLIC LAW 7-2017 – HOUSE ENROLLED ACT 1010 –EFFECTIVE MARCH 29, 2017**

**COMMITMENT TO THE DOC FOR A LEVEL 6 FELONY** – Amends IC 35-38-3-3- Amends the law limiting the circumstances under which a person convicted of a Level 6 felony can be committed to the department of correction (DOC). Provides that a person convicted of a Level 6 felony can be committed to the DOC if: (1) the commitment is due to the revocation of the person's sentence for violating probation, parole, or community corrections and the revocation of the person's sentence is due to a new criminal offense; or (2) the person is convicted of a Level 6 felony and the sentence for that felony is ordered to be served consecutively to the sentence for another felony.

**PUBLIC LAW 14-2017 - HOUSE ENROLLED ACT 1189 – EFFECTIVE JULY 1, 2018**

**CRIME REPORTING REQUIREMENTS** – Amends IC 10-13-2-5; IC 10-13-2-6 - Requires local law enforcement agencies to provide criminal justice data to the Indiana state police. Requires local law enforcement agencies to participate in a statewide uniform crime report program with the National Incident Based Reporting System (NIBRS). Requires the criminal justice data division of the state police department to report crime statistics to the governor semiannually (rather than annually, as required under current law).

**PUBLIC LAW 17-2017 – HOUSE ENROLLED ACT 1250 – EFFECTIVE JULY 1, 2017**

**HANDGUN LICENSES AND LAW ENFORCEMENT OFFICERS** – Amends IC 35-47-2-4 - Provides that police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have 20 or more years of service are entitled to a lifetime license to carry a handgun in Indiana. (Current law states police officers, sheriffs or their deputies, and law enforcement officers of the United States government must have been honorably retired by a lawfully created pension board or its equivalent after 20 or more years of service to be entitled to a lifetime license to carry a handgun.) Provides that these individuals are exempt from the payment of fees for the lifetime license to carry a handgun. Makes conforming amendments.

**PUBLIC LAW 21-2017 - HOUSE ENROLLED ACT 1272 – EFFECTIVE JULY 1, 2017**

**LOCAL GOVERNMENT MATTERS** – Amends IC 5-3-1-2 - Provides that if a newspaper or locality newspaper does not refuse to publish a timely notice, but subsequently fails to publish it, notice is nonetheless sufficient if the notice is timely posted: (1) in printed form, in three prominent places in the political subdivision; or (2) on the political subdivision's Internet web site. Increases the amount of debt that a municipal sewage works or sanitation department can write off as uncollectable.

**PUBLIC LAW 28-2017 – HOUSE ENROLLED ACT 1295 – EFFECTIVE JULY 1, 2017**

**DISPOSAL OF REAL PROPERTY** - Amends IC 36-1-11-3, and IC 36-1-11-5.3 - Disposal of real property. Allows the fiscal body of a unit (a county, municipality, or township) to adopt an ordinance (in the case of a county or municipality) or a resolution (in the case of a township) to increase the minimum appraised value of real property for which the fiscal body must approve a sale of the Property. (Current law requires the fiscal body to approve a sale of real property if the appraised value is \$50,000 or more.) Allows the fiscal body of a political subdivision to adopt an ordinance (in the case of a county or municipality) or a resolution (in the case of other political subdivisions) to increase the maximum assessed value of real property for which the political subdivision may negotiate a sale of the real property to an abutting landowner instead of having the property appraised and sold by public bidding. (Current law allows a political subdivision to negotiate with the abutting property owner if the assessed value of the real property is less than \$15,000.)

**PUBLIC LAW 32-2017 – HOUSE ENROLLED ACT 1536 – EFFECTIVE JULY 1, 2017**

**TAX SALES** – Amends IC 6-1.1-24-9 – Specifies deadlines related to acquiring a tax deed for real property if a county assigns a certificate of sale for the real property to a political subdivision. Eliminates a conflict with an administrative order of the Indiana Supreme Court concerning cause numbers.

**PUBLIC LAW 39-2017 – SENATE ENROLLED ACT 42 – EFFECTIVE JULY 1, 2017**

**PRO BONO LEGAL SERVICES FEE** – Amends IC 33-34-8-1; IC 34-33-8-3; 33-37-4-4; 33-37-4-6; 33-37-4-7; IC 33-37-5-3; IC 33-37-7-2; AND IC 33-37-7-8; - Postpones the current sunset provision for the pro bono legal services fee from July 1, 2017, to July 1, 2022. Makes conforming amendments.

**PUBLIC LAW 40-2017 - SENATE ENROLLED ACT 46 – EFFECTIVE JULY 1, 2017**

**VARIOUS PENSION MATTERS**— Adds and Amends numerous sections in IC 5-10, IC 5-10.2, IC 5-10.3, IC 5-10.4, IC 5-10.5, IC 10-12, and IC 36-8 - Provides that death benefits paid to beneficiaries of members of the following funds who die in the line of duty are to be paid from the special death benefit fund instead of the pension relief fund:

- (1) The 1925 police pension fund.
- (2) The 1937 firefighters' fund.
- (3) The 1953 police pension fund (Indianapolis).
- (4) The 1977 police officers' and firefighters' pension and disability fund.

**PUBLIC LAW 40-2017 - SENATE ENROLLED ACT 46 – EFFECTIVE JULY 1, 2017**

**VARIOUS PENSION MATTERS (cont.)**—Allows a member of PERF to do the following with the money credited to the member in a PERF annuity savings account, in any combination:

- (1) Retain and continue to invest all or part of the money in the annuity savings account.
- (2) Receive one or more distributions of all or part of the money in the annuity savings account.
- (3) Obtain an annuity with all or part of the money in the annuity savings account.

**Public Law 44-2017 – Senate Enrolled Act 64 – Effective Various Dates Code Revision Corrections**

Amends various sections of the Indiana Code; resolves various nontechnical conflicts and problems not suitable for resolution in the annual technical corrections bill, including:

- (1) a statute that has been both added and repealed;
- (2) ambiguous language;
- (3) incorrect references; and
- (4) results that must not have been intended

**PUBLIC LAW 51-2017 - SENATE ENROLLED ACT 121 – EFFECTIVE JULY 1, 2017**

**ADVERSE POSSESSION** - Amends IC 32-2-7-1 - Permits an entity exempt from federal income taxation under Section 501 of the Internal Revenue Code from the payment of taxation to claim property by adverse possession

**PUBLIC LAW 52-2017 - SENATE ENROLLED ACT 152 – EFFECTIVE JULY 1, 2017**

**LOCAL REDEVELOPMENT** - Amends IC 4-6-12-2; IC 4-6-12-3.6; IC 4-6-12-9; IC 36-7-14-19; and adds IC 36-7-14-19.5 Provides that a redevelopment commission may purchase property that is for sale at an auction or that has a purchase price of not more than \$25,000 without first obtaining two independent appraisals. Provides that a redevelopment commission may purchase property that is blighted, unsafe, abandoned, foreclosed, or structurally damaged. Repeals the tax sale blight registry, and makes conforming amendments. Amends the homeowner protection unit account statute to recognize that certain court fees are deposited under current law in that account.

**PUBLIC LAW 59-2017 - SENATE ENROLLED ACT 294 – EFFECTIVE JULY 1, 2017**

**BOVINE TUBERCULOSIS TESTING** - Amends IC 15-17-7-1 - Provides that expenses related to bovine tuberculosis testing for each calendar year are payable as follows: (1) 50% from the county council. (2) 50% from the Indiana state board of animal health (board). Provides that the board is responsible for paying for the board's share of expenses with funds appropriated to the board in the state board of animal health indemnity fund.

**PUBLIC LAW 60-2017 - SENATE ENROLLED ACT 300 – EFFECTIVE JULY 1, 2017**

**SOLID WASTE MANAGEMENT DISTRICT BOARD MEMBERSHIP** - Amends IC 13-21-3-5 - Provides that if a county contains only one municipality, the board of the county's single county solid waste management district must include one member: (1) who is a freeholder; (2) whose freehold is located in a conservancy district that is located entirely within the county and contains the greatest number of freeholds of any conservancy district located in the county; and (3) who is appointed to the board of the county district by the board of the conservancy district.

**PUBLIC LAW 71-2017 - SENATE ENROLLED ACT 417 – EFFECTIVE JULY 1, 2017**

**EARLY ABSENTEE IN-PERSON VOTING** - Amends IC 3-11-10-26 - Provides that, whenever a county that uses electronic poll books offers early absentee in-person voting on an electronic voting system, the county may comply with the requirement that there is a procedure to ensure that an invalid ballot is not counted by:

- (1) requiring each voter to make and subscribe to an affidavit that includes a unique identifier; or
- (2) establishing a procedure to produce a document, label, or electronic record that is associated with each voter and includes a unique identifier.

Requires a county to file with the election division a copy of the affidavit or description of the procedure used to ensure cancellation of a vote if a voter is disqualified before the county uses the affidavit or procedure in an election.

Specifies the procedure for a voter who casts a ballot during early absentee in-person voting on an optical scan voting system in a county that uses electronic poll books.

**PUBLIC LAW 74-2017 - SENATE ENROLLED ACT 442 – EFFECTIVE JULY 1, 2017**

**VARIOUS ELECTION MATTERS** - Amends IC 3-5-3-8; IC 3-5-3-9; IC 3-5-3-12; IC 3-5-4-1.5; IC 3-5-4-1.7; IC 3-6-5-15; IC 3-6-6.5-2; IC 3-6-6.5-4; IC 3-6-8-1; IC 3-6-9-12; IC 3-6-10-1; IC 3-7-13-10; IC 3-7-38.2-5; IC 3-7-38.2-17; IC 3-7-46-6; 3-8-1-2; IC 3-8-1-5; IC 3-8-2-2.5; IC 3-8-2-7; IC 3-8-2-11; IC 3-8-5-2; IC 3-8-5-10.5; IC3-8-5-12; IC 3-8-6-10; IC 3-8-6-12; IC 3-8-9-5; IC 3-10-1-31.3; IC 3-10-2-3; IC 3-10-2-4; IC 3-10-2-6; IC 3-10-6-2; I8C 3-10-7-2.7; IC 3-10-7-2.9 and adds IC 3-11-1.5-32.7; amends IC 3-11-2-12.2; IC 3-11-6-1; IC 3-11-8-7; IC 3-11-8-11; IC 3-11-13-22; IC 3-11-13-31.5; IC 3-11-14-24; IC 3-11-17-6; IC 3-11-11.5-23; IC 3-12-1-15; IC 3-12-12-5; IC 3-12-12-22; IC 3-13-1-16.5; IC 3-13-1-20.5; IC 3-13-1-21; IC 3-13-2-11; IC 3-13-11-3; IC 3-13-11-10; IC 20-23-12-9; IC 20-23-17-8; IC 20-23-17.2-3.1; IC 33-33-45-41; IC 33-33-45-42; IC 33-33-71-42; IC 33-35-1-4; and IC 36-5-2-4.1- Removes a reference to a county executive in the definition of "county voter registration office". Specifies the allocation of municipal and special election; - Provides that, whenever a county that uses electronic poll books offers early absentee in-person voting on an electronic voting system, the county may comply with the requirement that there is a procedure to ensure that an invalid ballot is not counted by: administration expenses among a county and the municipalities in the county in vote center counties. Specifies the extended deadline for taking an action or making a filing when a government office is closed. Adds a county voter registration office to the list of offices where filings by fax or electronic mail are not available. Specifies that any petition that requires the county voter registration office to certify the validity of the signatures may not contain electronic, digitized, or photocopied signatures. Adds courses on law governing accessibility to polling places and voting systems to the certified election worker training curriculum, and reduces the term of the certification from four to two years. Specifies the number of challengers, poll book holders, poll watchers, and media representatives who are allowed in a voting location. Specifies that the date on which voter registration closes before an election and reopens after an election applies to special elections and municipal primary elections. Makes changes to the voter list maintenance procedures. Provides that a felony conviction that has been pardoned, reversed, vacated, set aside, or expunged does not disqualify a person from holding elected office. Provides that a declaration of candidacy is not invalid if a candidate is unable to state the ward in which the candidate resides. Specifies the ways in which a candidate for a small town office or multiple candidates for an at-large town council seat may be nominated. Specifies that a candidate for local office is not required to file a written consent to a nomination until after petitions for nomination have been filed with the appropriate election official. Allows a candidate to contest the denial of certification based on a county voter registration office's failure to certify petitioners. Updates dates of election for various offices. Adds affidavits for presidential voting and for voting in a precinct of prior residence to the list of election materials to be preserved. Specifies that, whenever the boundaries of a political subdivision change as the result of annexation or disannexation of territory, or whenever the boundaries of an election district within a political subdivision change, the precinct boundaries within the political subdivision do not automatically change and may be changed only as provided by IC 3-11-1.5. Requires that candidates seeking election to a school board office as a member representing a district be placed on the ballot before candidates seeking election to a school board office as an at-large member. Adds the purchase of electronic poll books as an allowable use of a county voting system purchase fund and appropriated funds to the voting system technical oversight fund. Requires a county election board of a county planning to use automatic tabulating machines at an election to randomly select and test at least 10% of the machines in a public test. Provides that, if an additional machines be tested, then the county election board shall randomly select and test additional machines up to a maximum of 15% of the machines that will be used at the election. Allows a voter who is a parent, grandparent, or other person caring for a minor child to take the child into the voting booth with the voter. Increases from 10 to 50 the number of days before an election that the county election board must notify the political parties of the number of absentee ballot workers that may be appointed. Revises the procedure to deposit or bond for recount expenditures chargeable to a petitioner. Specifies which recounts are conducted by the state recount commission. Requires superior court judges in Lake and St. Joseph counties to file a statement with the secretary of state requesting a retention vote. Urges the legislative council to assign to the interim study committee on elections or another appropriate interim study committee the topic of the notification of offenders being released from custody of their right to vote and the requirement that they must re-register in order to vote. Makes conforming amendments.

**PUBLIC LAW 84-2017 - HOUSE ENROLLED ACT 1178 – EFFECTIVE JANUARY 1, 2018  
VOTER REGISTRATION OPPORTUNITY FOR ALL MOTOR VEHICLE TRANSACTIONS.** - Amends IC 9-14.1-4.2 - Provides that when an individual transacts business with a license branch, other than for a motor vehicle driver's license, permit, or identification card, the license branch employee assisting the individual shall ask the individual whether the individual wants to register to vote or change the individual's voter registration record. Provides that, if the individual is provided with a paper voter registration application form by the license branch employee, the individual, rather than the license branch, is responsible for filing the form with the appropriate county voter registration office.

**PUBLIC LAW 86-2017 - HOUSE ENROLLED ACT 1218 – EFFECTIVE JULY 1, 2017  
JUVENILE JUSTICE** - Amends IC 11-12-2-2; IC 11-12-2-4; IC 31-9-2-133.1; IC 31-30-2-1; IC31-37-22-1; and adds IC 31-37-22-11; IC 31-39-8-1.5 and amends IC 31-39-8-3; IC 31-39-8-6; IC 31-39-8-6; and adds IC 35-31.5-2-178.5; IC 35-38-10 and amends IC 35-42-3.5-1; IC 35-45-1-5; IC 35-45-4-2 and IC 35-45-4-4 - Adds additional members to a community corrections advisory board. Allows an application for a state grant for a community corrections program for juveniles to be made to the department of correction division of youth services. Provides that a child who was: (1) the victim of human trafficking; and (2) adjudicated a delinquent child for an act performed while a victim of human trafficking and the delinquent act was a result of human trafficking; is entitled to have the adjudication expunged. Specifies that expunged electronic records must be stored in a secure data base. Permits the department of correction to award funding to a court appointed forensic advocate program. Provides that a person who was: (1) the victim of human trafficking; and (2) convicted of a nonviolent offense committed while the person was being trafficked; is entitled to have the person's conviction vacated if certain conditions are met. Provides that prostitution is a criminal offense only if committed by a person who is at least 18 years of age. Defines "juvenile prostitution". Provides that a person less than 18 years of age who is engaged in juvenile prostitution is considered a victim of juvenile prostitution and human or sexual trafficking. Adds juvenile prostitution to offenses involving prostitution in human trafficking crimes and the crimes of visiting a common nuisance and promoting prostitution. Makes technical corrections.

**PUBLIC LAW 111-2017 - SENATE ENROLLED ACT 322 – EFFECTIVE JULY 1, 2017  
DNA FOR FELONY ARRESTS** - Amends IC 10-13-6.8; IC 10-13-6-10; IC 10-13-6-18; IC 10-13-6-19; IC 10-13-6-22; IC 33-37-5-26.2; IC 35-33-8-5; IC 35-38-1-27; IC 35-38-2-2.3; IC 35-38-2.5-6; and IC 35-38-2.6-3 - Requires every person arrested for a felony after December 31, 2017, to submit a DNA sample, and specifies that the sample may be obtained only by buccal swab. Provides that the DNA sample may not be shipped for DNA identification unless the arrestee was arrested pursuant to a felony arrest warrant or a court has found probable cause for the felony arrest. Provides for removal of a DNA sample from the data base if: (1) the person is acquitted of all felony charges or the charges are converted to misdemeanors; (2) all felony charges against the person are dismissed; or (3) no felony charges are filed against the person within 365 days. Requires the officer who obtains a DNA sample from a person to inform the person of the right to DNA removal and to provide the person with instructions and a form that may be used for DNA removal. Provides that a person who knowingly or intentionally disseminates, receives, or otherwise uses information in the DNA data base for a purpose other than authorized by law commits a Level 6 felony. Increases the DNA sample processing fee from \$2 to \$3. Amends distribution percentages to hold harmless all funds and to provide an additional amount to the DNA processing fund. Specifies that the discovery of DNA evidence tending to show previously unknown crimes committed by a person on bail may lead to revocation of bail or an increase in the amount of bail.

**PUBLIC LAW 114-2017 - SENATE ENROLLED ACT 346 – EFFECTIVE JULY 1, 2017 – DONATION  
OF CERTAIN LOCAL FUNDS TO A FOUNDATION** - Amends IC 36-1-14-1; and IC 36-1-14-4 - Provides that when a county, municipality, or township (unit) donates the proceeds of the sale of a utility or a facility, or the amount of a gift, to a foundation, the unit and the foundation may agree that distribution of the proceeds is governed by the Uniform Prudent Management of Institutional Funds Act (IC 30-2-12). Provides that this authority applies only to the donation of proceeds that occurs after December 31, 2015. Provides that department of local government finance may not reduce a unit's property tax levy because of:

- (1) the donation of the proceeds of money from the sale of a utility or a facility;
- (2) a distribution from the endowment to the unit; or
- (3) a return of the donation to the general fund of the unit.

Expands the investment powers of a trust established before 1990 from the proceeds of the sale of a county hospital to be the same as a foundation investing a donation. Specifies requirements of investing.

**PUBLIC LAW 118-2017 - SENATE ENROLLED ACT 443 – EFFECTIVE JANUARY 1, 2018 – UNIFORM BUSINESS ORGANIZATION LAWS** - Adds a new article IC 23-.0.5 - Enacts provisions of the Uniform Business Organization Code, including the Uniform Model Registered Agents Act and the Uniform Model Entity Transactions Act. Makes conforming changes.

**PUBLIC LAW 119-2017 - SENATE ENROLLED ACT 449 – EFFECTIVE JULY 1, 2017 – PROPERTY TAX AUDIT CONTRACTOR COMPENSATION** - Amends IC 6-1.1-36-12 - Extends the prohibition under current law against contracting for property tax audit services on a percentage basis to include any method that bases payments under the contract on increases of assessed value or property tax revenue that are attributable to the discovery of property that has been undervalued or omitted from assessment. Specifies conditions for intermediate distributions of property tax revenue that is collected before the expiration of a contract for property tax audit services. Provides that the term of a contract for property tax audit services may not exceed three years, including any extensions.

**PUBLIC LAW 127-2017 - SENATE ENROLLED ACT 505 – EFFECTIVE JULY 1, 2017 – RECORDING OF DOCUMENTS** - Amends IC 32-21-2-10 and adds IC 32-21-2-15; amends IC 36-2-7-10; IC 36-2-7-10.1; IC and adds IC 36-2-7-10.5 and IC 36-2-7-10.7; amends IC 36-2-7.5-11; IC 36-2-11-20 - Changes the amounts and distribution of recording fees. Sets a statutory fee for bulk form copies of 10 cents per copy of a recorded document and 10 cents per recorded document for a copy of the indices. Allows a fee set by ordinance in an amount of up to 20 cents per copy and per recorded document if the county executive finds that the costs incurred by the county recorder exceed the amount of the statutory fee. Requires a recipient of bulk form copies (bulk user) to enter into a contract with the county recorder as a prerequisite to receiving bulk form copies. Allows a bulk user that meets certain requirements to charge its customers a fee for using bulk form copies but not sell or transfer copies of recorded documents to another party. Adds the Uniform Real Property Electronic Recording Act that provides, effective January 1, 2018, that for purposes of recording: (1) an electronic document satisfies any legal requirement for an original paper document or other medium; and (2) an electronic signature satisfies a legal requirement that a document must be signed, notarized, acknowledged, or verified. Creates the electronic recording commission to adopt standards before January 1, 2018, to implement the Uniform Real Property Electronic Recording Act. Provides that a recorded memorandum of contract serves as evidence of and provides notice of the existence of the contract. Replaces, throughout IC 36, gender specific words with gender neutral words.

**PUBLIC LAW 128-2017 - SENATE ENROLLED ACT 539 – EFFECTIVE JANUARY 1, 2018 – NOTARIES PUBLIC AND TRADEMARKS** - Adds several new chapters to IC 33-42 - Provides that a person who wishes to register a trademark must file an electronic application for the registration of the trademark. Allows the governor to appoint notaries public in certain instances. Describes permitted notarial acts. Provides that notarial acts performed in another state are presumptively valid in certain instances. Provides that notarial acts performed: (1) under the authority of; and (2) within the jurisdiction of; a federally recognized tribe are presumptively valid in certain instances. Provides that notarial acts performed by foreign governments or nations are presumptively valid in certain instances. Specifies records should be notarized. Specifies how the identity of a principal may be authenticated. Specifies the components of notary seals. Requires that notary stamping devices must be secured. Prohibits the use of a stamping device by any person other than the authorized notary public. Describes how stamping devices must be disposed of when a notary public's commission ends. Describes eligibility requirements for a notary public. Requires a notary public to secure an assurance in the amount of \$25,000. Specifies acts that a notary public is prohibited from taking. Prohibits a notary public from engaging in false or misleading advertising. Allows a notary public to charge not more than \$10 for certain notarial acts. Allows a notary public to charge for travel expenses. Allows the secretary of state to attest to the authenticity of a signature of a public official. Prohibits the secretary of state from attesting to the signature of a public official or notary public on a document: (1) declaring allegiance to a government or jurisdiction; (2) renouncing citizenship, military status, sovereignty, or world service authority; or (3) claiming immunity from the jurisdiction or laws of the United States or any state of the United States. Makes conforming technical amendments.

**PUBLIC LAW 128-2017 - HOUSE ENROLLED ACT 1117 – EFFECTIVE APRIL 24, 2017 – PERFORMANCE BOND REQUIREMENTS** – Amends IC 5-16-5-2 and IC 5-16-5.5-4 - Provides that a local governmental unit and a land developer may agree to the partial release of a performance bond or other surety required of the land developer to ensure the completion of certain unfinished improvements and installations in a subdivision on a more frequent basis than an annual basis. (Under current law, a performance bond or other surety may be partially released on an annual basis, which would continue to

**PUBLIC LAW 128-2017 - HOUSE ENROLLED ACT 1117 – EFFECTIVE APRIL 24, 2017 – PERFORMANCE BOND REQUIREMENTS (cont.)**- be permitted.) Provides that a contractor is not required to submit a payment bond for a public works contract of a state educational institution if the amount to be paid under the contract is less than \$500,000 and the state educational institution agrees to waive the requirement. Provides that a contractor is not required to submit a performance bond for a public works contract of a state educational institution if the amount to be paid under the contract is less than \$500,000 and the state educational institution agrees to waive the requirement. Makes a technical change to make language in the statute uniform.

**PUBLIC LAW 176-2017 - HOUSE ENROLLED ACT 1031 – EFFECTIVE JULY 1, 2017 – STATE EXAMINER FINDINGS** - Amends IC 5-11-5-1.5 - Specifies requirements for corrective action when audited entities fail to comply with certain guidelines or laws. Requires an audited entity to file a corrective action plan following findings of noncompliance in two consecutive examination reports. Specifies actions that the audit committee may take if an audited entity fails to comply with a corrective action plan.

**PUBLIC LAW 178-2017 - HOUSE ENROLLED ACT 1286 – EFFECTIVE JULY 1, 2017 – REGIONAL DEVELOPMENT AUTHORITIES** - Amends IC 36-7.6-3-2 - Provides that the exercise of the power of eminent domain by a regional development authority (other than the northwest Indiana regional development authority) is subject to the approval of the legislative body of the municipality in which the property is located or, if the property is not located within a municipality, the legislative body of the county in which the property is located.

**PUBLIC LAW 180-2017 - HOUSE ENROLLED ACT 1555 – EFFECTIVE JULY 1, 2017 – POLICE RESERVE OFFICERS** - Amends IC 36-8-3-20; and adds IC 36-8-3-22 - Provides that town police reserve officers are eligible for a line of duty death benefit from the special death benefit fund. Adds town police reserve officers to the tuition and fee exemption for the children and surviving spouse of a public safety officer killed in the line of duty. Provides that: (1) after December 31, 2017, a county, city, or town shall furnish without charge to a police reserve officer (officer) who is injured or contracts an illness in the course of or as the result of the performance of duties as an officer all necessary physician, surgical, hospital, and nursing services and supplies, and that this obligation supersedes any obligations that another medical insurance carrier has to pay the officer's medical expenses; (2) after December 31, 2017, a county, city, or town shall provide to an officer who is unable to pursue the officer's usual vocation as the result of an injury or illness occurring in the course of or as the result of the performance of duties as an officer a weekly amount equal to the Indiana minimum wage computed on the basis of a 40 hour work week for a maximum of 260 weeks; and (3) a county, city, or town may meet its obligations by purchasing policies of group insurance, establishing a plan of self-insurance, or participating in the medical treatment and burial expense provisions of the worker's compensation and occupational diseases laws.

**PUBLIC LAW 186-2017 - HOUSE ENROLLED ACT 1137 – EFFECTIVE JULY 1, 2017 – BAIL AGENT LICENSE RENEWAL AND BOND FORFEITURE** - Amends IC 27-10-3-7; and IC 35-33-8 - Decreases the bail agent renewal fee from \$600 to \$300. Requires forfeiture, not earlier than 120 days or later than 365 days after the defendant's failure to appear, of a bond executed through cash or securities deposited with the clerk of court. (Current law requires forfeiture not earlier than 120 days after failure to appear.) Provides that the supreme court should adopt rules to establish the Indiana pretrial risk assessment system before January 1, 2020, to assist courts in assessing an arrestee's likelihood of: (1) committing a new criminal offense; or (2) failing to appear.

**PUBLIC LAW 193-2017 - HOUSE ENROLLED ACT 1395 – EFFECTIVE JULY 1, 2017 – APPOINTMENTS TO LOCAL BOARDS** - Amends IC 36-1-8 and IC 36-7-4 - Amends the Lake County innkeeper's tax statute concerning the removal of a member of the Lake County convention and visitor bureau. Requires, in determining the political affiliation of an appointee to a board of a political subdivision, that the primary election in which the appointee voted is a primary election in Indiana. Provides that the determination of the political affiliation of a potential appointee to a local board who has never voted in a primary election in Indiana is made by the certification of the county chairman of the political party with which the potential appointee is affiliated. Requires that the county chairman's certification of an appointee's political affiliation be filed with the office of the circuit court clerk (clerk) not later than the time the oath of office of the appointee is filed with the clerk or the appointment is void. Provides that if, after the expiration of the term of an appointed member of a local board, the vacancy is not filled by the appointing authority within 90 days after the expiration of the term, the county chairman of the political party of the member whose term has expired shall make the appointment. Requires a person

**PUBLIC LAW 193-2017 - HOUSE ENROLLED ACT 1395 – EFFECTIVE JULY 1, 2017 –**

**APPOINTMENTS TO LOCAL BOARDS (cont.)-** to be appointed for the remaining unexpired term of a vacating plan commission member not later than 90 days after the vacancy occurs. In a city having a park board and a city civil engineer, removes the requirement that the park board's appointee to the city plan commission be a member of the park board. Makes conforming changes.

**PUBLIC LAW 194-2017 - HOUSE ENROLLED ACT 1407 – EFFECTIVE JULY 1, 2017 –**

Amends IC 29-1- and IC 29-3 and IC 33-37-4-7 - Makes various changes to probate and trust laws concerning contesting of wills, authorization of certain acts by a trustee, and the consideration of the requests of de facto custodians and living parents of incapacitated persons in the appointment of guardians and in custody orders. Prohibits a court clerk from collecting a court costs fee for the filing of a closing statement associated with a small estate. Specifies parameters for electronic message delivery. Makes technical corrections.

**PUBLIC LAW 197-2017 - HOUSE ENROLLED ACT 1431 – EFFECTIVE JULY 1, 2017 – EXECUTIVE SESSIONS AND OPEN RECORDS -**

Amends IC 5-14-1.5-2 - Provides that a governing body may admit to an executive session of the governing body an individual who has been elected to the governing body but has not been sworn in as a member of the governing body. Allows a state educational institution to: (1) meet in executive session to discuss certain matters concerning establishment of a collaborative relationship or venture to advance the research, engagement, or education mission of the state educational institution; and (2) withhold records from public disclosure that are created while the negotiations are in progress. Amends the tabulation of a provision regarding negotiations of certain state and local government entities to reflect that all of the listed entities negotiate with industrial, research, or commercial prospects.

**PUBLIC LAW 201-2017 - HOUSE ENROLLED ACT 1521 – EFFECTIVE JULY 1, 2017 – VARIOUS ELECTION MATTERS -**

Amends IC 3-11-18.1-5; IC 3-11-18.1-65-14-1.5-2; IC 3-11.5-4-23; and IC 3-11.5-14 - Provides that, beginning in 2019, the National Voter Registration Act (NVRA) official shall conduct a residency confirmation and outreach procedure in odd-numbered years instead of even-numbered years (which is the requirement under current law). Provides that if a circuit court clerk (clerk) denies certification of a petition of nomination filed by a candidate in person, the clerk shall notify the candidate in person of the denial of the certification. Provides that an application for an absentee ballot for the primary election before the general election conducted in 2018 and every four years thereafter may not be received by the clerk (or the director of the board of elections and registration) earlier than December 1 of the year before the primary election. Updates municipal election dates in a provision concerning the use of vote centers. Provides that, for a special election conducted in only part of a county and not held on the same day as a primary, general, or municipal election, the county election board (board) must provide in the county vote center plan for: (1) at least one vote center; or (2) if the election district for the special election contains at least 10,000 active voters, at least one vote center for each 10,000 active voters, plus one vote center for any fraction of 10,000 active voters. Provides that a board may permit a 16 or 17 year old who meets certain conditions to serve as an absentee ballot counter or courier at a central location where absentee ballots are counted. Makes a technical correction in a statute relating to poll takers that was amended during the 2016 session of the general assembly and resolves a conflict with SB 442-2017.

**PUBLIC LAW 211-2017 - SENATE ENROLLED ACT 348 – EFFECTIVE JULY 1, 2017**

**REGULATION OF SIGNS –** Adds IC 36-1-3-11 - Provides that an ordinance or a regulation of a political subdivision relating to the number or size of signs is unenforceable beginning 60 days before an election and ending at the beginning of the sixth day after the election. Provides that for purposes of the statute, a "sign" refers to a sign, the surface area of which is not greater than 32 square feet. (Provides that the measurement of the surface area of a sign that has two faces is determined by measuring the surface area of only one of the faces if the faces are mounted back to back and the measure of the angle between the faces is not more than 15 degrees.) Provides that the statute does not prohibit a political subdivision from enforcing an ordinance or regulation relating to the number or size of signs at any time if necessary to ensure public safety. Provides that a zoning ordinance relating to signs is considered to contain a provision that permits the substitution of the copy on a sign regardless of whether the original and new copy is commercial or noncommercial.



**PUBLIC LAW 217-2017 – HOUSE ENROLLED ACT 1001 – EFFECTIVE JULY 1, 2017**

**STATE BIENNIAL BILL** - Amends IC 33-37-5-21 - Increases the automated record keeping fee from \$19 to \$20 permanently.

**PUBLIC LAW 218-2017 – HOUSE ENROLLED ACT 1002 – EFFECTIVE JULY 1, 2017**

**TRANSPORTATION INFRASTRUCTURE FUND** – Amends IC 8-23-30-3 and IC 8-23-30-6 Changes the local match requirements for the Local Road and Bridge Grant fund (Community Crossings grant) to include any money the unit is authorized to use for a local road or bridge project. Decreases the required amount for the local match for counties with a population less than 50,000 or a city or town with a population of less than 10,000 to 25% of the project in place of 50% required of larger units.

**PUBLIC LAW 229-2017 – SENATE ENROLLED ACT 128 EFFECTIVE APRIL 28, 2017**

**REGIONAL INFRASTRUCTURE IMPROVEMENTS PROJECTS** – Amends IC 4-4-10.9-1.2; amends IC 4-4-11-15.4; IC 4-10-19; IC 6-3.6-6-21; IC 8-23; IC 36-1-8; IC 36-7.5-4-16; and IC 36-9-43; Regional infrastructure improvement projects. Provides that the Indiana finance authority (IFA), rather than the budget agency, administers the local infrastructure revolving loan funds (loan funds). Expands the types of entities that may participate in the loan funds. Authorizes the IFA to issue its bonds to carry out the loan funds. Expands the types of infrastructure that are eligible for the loan funds to include bridges or other public ways. Provides that a regional development authority (RDA) may apply for a "FASTLANE" grant from the Federal Highway Administration (or a grant from any other federal program) for highway funding. Authorizes an RDA to enter into a supplemental funding agreement with the Indiana department of transportation or a political subdivision to contribute local matching funds to be used to pay a part or all of the nonfederal share of the costs necessary to carry out regional transportation infrastructure projects. Allows a county or municipality participating in an RDA to transfer money to a fund from its general fund or rainy day fund (or other available fund) to the RDA for purposes of providing funds for regional transportation infrastructure projects. Provides that a city, county, or political subdivision that fails to make a payment or transfer to a development authority as required is subject to a deduction by the state treasurer and a deduction of available funds from the development authority. Creates the regional development authority infrastructure fund (infrastructure fund). Provides that a regional development authority may expend money in the fund for certain infrastructure development projects. Provides that the IFA will administer the infrastructure fund. Provides an adjusted gross income tax deduction to a taxpayer that makes a contribution or gift to the infrastructure fund. Allows a county, city, or town to provide local income tax revenue to the infrastructure fund. Upon recommendation by an RDA, authorizes a county or municipality to establish a cumulative fund for the purpose of funding regional transportation infrastructure projects.

**PUBLIC LAW 232-2017 - SENATE ENROLLED ACT 386 – EFFECTIVE JULY 1, 2017**

**PROPERTY TAXATION** – Amends IC 6-1.1-11-3; IC 6-1.1-15; IC 6-1.1-22-8.1; IC 6-1.1-26; and IC 6-1.1-37; Makes procedural changes and technical corrections to various property tax provisions in the Indiana Code that relate to property tax assessments, reviews, appeals, and refunds. Provides for the exchange of information before a hearing to be held by a county property tax assessment board of appeals (PTABOA). Provides that property tax appeals must be filed not later than the following: (1) For assessments before January 1, 2019, the earlier of: (A) 45 days after the date on which the notice of assessment is mailed by the county; or (B) 45 days after the date on which the tax statement is mailed by the county treasurer, regardless of whether the assessing official changes the taxpayer's assessment. (2) For assessments after December 31, 2018, the earlier of: (A) June 15 of the assessment year, if the notice of assessment is mailed by the county before May 1 of the assessment year; or (B) June 15 of the year in which the tax statement is mailed by the county treasurer, if the notice of assessment is mailed by the county on or after May 1 of the assessment year. Provides that the last day for the county assessor to certify to the county auditor the assessed value of personal property is July 1 (rather than June 15, under current law). Provides that the last day for the county assessor to provide assessed values of real property to the county auditor is July 1 (rather than June 1, under current law). Requires the DLGF to prepare and make available to taxpayers a power of attorney form that allows the owner of property that is the subject of an appeal to appoint a relative for specific assessment years to represent the owner concerning the appeal before the PTABOA and the DLGF (but not the Indiana board of tax review). Provides that such a relative that is appointed by the owner of the property is not required to be certified as a tax representative in order to represent the owner concerning the appeal. Permits, instead of requires, the county assessor to impose a penalty against a taxpayer that fails to attend a scheduled hearing by the PTABOA. Allows a church that meets certain conditions and that missed the applicable deadline to claim a property tax exemption for the 2011 assessment date to file an application to claim the

**PUBLIC LAW 232-2017 - SENATE ENROLLED ACT 386 – EFFECTIVE JULY 1, 2017**

**PROPERTY TAXATION (cont.)** exemption. Allows a taxpayer that: (1) meets certain conditions; and (2) would have been eligible for certain property tax exemptions if the exemption applications had been properly and timely filed; to retroactively claim the property tax exemptions.

**PUBLIC LAW 235-2017 - SENATE ENROLLED ACT 455 – EFFECTIVE JANUARY 1, 2018**

**TAX ADMINISTRATION OF MOBILE HOMES** – Adds IC 6-1.1-23.5; Amends IC 6-1.1-2-4; IC 6-1.1-7-3 and IC 6-1.1-7-10 and 11 - Establishes an optional procedure by which a county treasurer may sell a mobile home assessed as personal property at auction to the highest bidder in order to satisfy the amount owed by the owner for delinquent personal property taxes, penalties, and collection expenses attributable to the mobile home. Modifies the definition of "inventory" under the property tax code to also include certain mobile homes or manufactured homes that are held for lease by the owner of a mobile home community. Modifies the definition of the "owner" of tangible property in the property tax code to provide that the term means the owner designated as the grantee, buyer, or other equivalent term in the title document or a bureau of motor vehicles (BMV) affidavit of sale or disposal, if a title document is ordinarily issued to an owner for that type of property. Specifies that a person owning a mobile home assessed as personal property on the assessment date of a year is liable for the taxes imposed for that year on the property. Requires a person to furnish certain information to the assessor within 30 days after the person places or allows a mobile home to be placed on land the person owns, possesses, or controls. Requires a person that operates a mobile home community to furnish certain information to the assessor within 30 days after: (1) the person places or allows a mobile home to be placed in the mobile home community; (2) a sale or lease of a mobile home previously held as inventory occurs; or (3) the status of a mobile home is changed to inventory. Provides that a county treasurer may not issue a permit to move or transfer the title to a mobile home unless the person requesting the permit has a state issued title, a court order, or a BMV affidavit of sale or disposal. Requires a person who is engaged to move a mobile home to visibly display the moving permit while the mobile home is in transit. Effective January 1, 2020, changes the information that the operator of a mobile home community must enter in the mobile home register of the mobile home community for each mobile home placed in the mobile home community. Provides with respect to civil, criminal, infraction, and ordinance violation actions that the \$5 document storage fee becomes \$2 on July 1, 2022, instead of July 1, 2017. Provides that a clerk of a court may not collect certain fees for small claims actions or civil actions filed through the Indiana electronic filing system adopted by the Indiana Supreme court. Requires the BMV and the Indiana archives and records administration (IARA) to update the records retention schedule to provide for a retention period of 20 years for titles of mobile homes and

**PUBLIC LAW 235-2017 - SENATE ENROLLED ACT 455 – EFFECTIVE JANUARY 1, 2018**

**TAX ADMINISTRATION OF MOBILE HOMES (cont.)** manufactured homes. Urges the legislative council to assign to an appropriate interim study committee for study in 2017 questions concerning the distribution of court fees to cities and towns under IC 33-37-7-6.

**PUBLIC LAW 238-2017 - SENATE ENROLLED ACT 514 – EFFECTIVE JULY 1, 2017**

**ENTREPRENEUR AND ENTERPRISE DISTRICTS** - Adds IC 5-28-5-16, IC 5-28-15.5 and IC 6-1.1-46.2 - Amends IC 5-28-16-2, IC 5-28-16-3, IC 6-1.1-45, and IC 6-1.1-46.2 - Provides that an entrepreneur and enterprise district (district) may be established in: (1) the city of Lafayette; and (2) the city of Fort Wayne. Specifies the conditions that must be satisfied before an area may be designated as a district. Specifies that the mayor of a city in which a district is established must designate the board of directors of the district by doing one of the following: (1) Designate the urban enterprise association in that city as the board of directors of the district. (2) Appoint a board of directors of the district consisting of seven members selected by the mayor and the fiscal body of the city. Provides that a district expires on the earlier of: (1) five years after the establishment of the district; or (2) December 31, 2022. Requires a district board to present a written report each year to the legislative body of the qualified municipality that established the district. Provides that the Indiana economic development corporation (IEDC) may make grants from the Indiana twenty-first century research and technology fund (fund) to district boards established in the city of Lafayette and the city of Fort Wayne. Provides that the IEDC may allocate \$2,000,000 of the total amount held within the fund during each state fiscal year beginning after June 30, 2017, and ending before July 1, 2022, for the purposes of making grants to district boards in the city of Lafayette and the city of Fort Wayne. Provides that the grant amount from the fund for each city during a state fiscal year may not exceed \$1,000,000. Provides that the grant money must be used for programs that support entrepreneurship, small business development, technology development, and innovation. Provides for the following incentives for district businesses that meet certain conditions: (1) An exclusion from the 30% valuation floor for depreciable personal property. (2) A property tax deduction for certain

**PUBLIC LAW 238-2017 - SENATE ENROLLED ACT 514 – EFFECTIVE JULY 1, 2017**

**ENTREPRENEUR AND ENTERPRISE DISTRICTS (cont.)** investment in a district. (3) A property tax abatement deduction for vacant buildings in a district. Provides that a taxpayer is not entitled to receive any of the following: (1) An enterprise zone loan interest credit for interest received on a loan made after December 31, 2017. (2) An enterprise zone investment cost credit for a qualified investment made after December 31, 2017.

**PUBLIC LAW 246-2017 - HOUSE ENROLLED ACT 1043 – EFFECTIVE JULY 1, 2017**

**REFERENDUM AND REMONSTRANCE PROCESS** – Amends IC 6-1.1-20 and IC 20-26-7 – Referendum and remonstrance process. Increases the threshold used for purposes of determining whether a capital project is a controlled project as follows: (1) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or to enter into a lease for the project, the threshold is increased from \$2,000,000 to \$5,000,000. (2) In the case of an ordinance or resolution adopted after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold is increased by applying the assessed value growth quotient for the year to the threshold amount determined for the preceding year. Specifies that a capital project is also a controlled project if the cost of the project will exceed: (1) 1% of the total gross assessed value of property within the political subdivision, if that total gross assessed value is more than \$100,000,000; or (2) \$1,000,000, if the total gross assessed value of property within the political subdivision is not more than \$100,000,000. Increases the thresholds used for applying the petition and remonstrance process and referendum process as follows: (1) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or to enter into a lease for the project, the threshold is increased from \$10,000,000 to \$15,000,000 for school building projects and from \$12,000,000 to \$15,000,000 for any civil unit project. (2) In the case of an ordinance or resolution adopted after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold is increased by applying the assessed value growth quotient for the year to the threshold amount determined for the preceding year. Provides that a school building project is also subject to the referendum process if the cost of the project will exceed: (1) 1% of the total gross assessed value of property within the political subdivision, if that total gross assessed value is more than \$1,000,000,000; or (2) \$10,000,000, if the total gross assessed value of property within the political subdivision is not more than \$1,000,000,000. Provides that a civil unit project is also subject to the referendum process if the cost of the project will exceed: (1) 1% of the total gross assessed value of property within the political subdivision, if that total gross assessed value is more than \$100,000,000; or (2) \$1,000,000, if the total gross assessed value of property within the political subdivision is not more than \$100,000,000. Provides that a controlled project for which a political subdivision makes a preliminary determination to issue bonds or enter into a lease is subject to the referendum process if the sum of: (1) the cost of that controlled project; plus (2) the costs of all other controlled projects for which the political subdivision has previously adopted within the preceding 365 days an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for those other controlled projects; exceeds \$25,000,000. Requires that a political subdivision's notice of the preliminary determination to issue bonds or enter into a lease for a controlled project must also include information concerning the estimated amount of the political subdivision's debt service levy and rate that will result during the following 10 years if the political subdivision issues the bonds or enters into the lease, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate. Provides that a petition objecting that a political subdivision has divided a controlled project in order to avoid the requirements of the petition and remonstrance process or the referendum process must be filed with the department of local government finance (DLGF) not more than 10 days after the political subdivision gives notice of the political subdivision's determination to issue bonds or enter into leases for the capital project. Specifies that if the DLGF determines that a political subdivision divided a controlled project in order to avoid the referendum requirements and the political subdivision continues to desire to proceed with the project, the political subdivision may appeal the determination of the DLGF to the Indiana board of tax review. Specifies that a political subdivision shall be considered to have divided a capital project in order to avoid the requirements of the petition and remonstrance process or the referendum process if the result of one or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. Relocates existing law concerning calculation of the cost of certain projects by a school corporation career and technical education school to a separate section within the controlled projects statute. Requires a political subdivision to: (1) conduct at least two public hearings on a preliminary determination concerning a controlled project (rather than one hearing under current law); and (2) make certain information available to the public at each of the public hearings. Provides that if a referendum for a controlled project or for a school operating referendum fund property tax levy is

**PUBLIC LAW 246-2017 - HOUSE ENROLLED ACT 1043 – EFFECTIVE JULY 1, 2017**

**REFERENDUM AND REMONSTRANCE PROCESS (cont.)** defeated, another referendum may not be held earlier than 700 days after the date of the first referendum (rather than 350 days under current law). Specifies that the 350 day limit applies if a sufficient petition requesting that limit is submitted by property owners or voters. Provides that a school corporation operating referendum fund property tax levy may not be imposed for more than eight years. (Current law provides that the referendum levy may not be imposed for more than seven years.) Applies to a referendum that takes place after June 30, 2017.

**PUBLIC LAW 247-2017 - HOUSE ENROLLED ACT 1129 – EFFECTIVE JULY 1, 2017**

**LOCAL INCOME TAX MATTERS** - Amends IC 6-1.1-3.6, IC 10-14-3-19, IC 10-14-4-2, IC 10-14-4-6, IC 10-14-4-11, IC 22-3-6-1, and IC 22-3-7-9 - Adds law enforcement training to the permitted uses of the local income tax. Removes the requirement that the department of local government finance (DLGF) prescribe the form for notices, ordinances, and resolutions that may be adopted under the local income tax law.

Removes the DLGF's duty to prescribe the hearing requirements and procedures to be used for submitting a notice and vote results on ordinances and adopting and submitting an ordinance or a resolution and replaces it with the general requirements for hearings and procedures. Requires the DLGF to prescribe the procedures to be used by the adopting body or governmental entity for submissions to the DLGF. Requires the DLGF to notify the submitting entity within thirty (30) days of submission as to whether the DLGF has received the necessary information. Provides that imposing a new tax or changing an existing tax is not effective until the DLGF notifies the adopting body or governmental entity that the DLGF has received the required information. Specifies that, for a county that adopted a levy freeze under the former county adjusted gross income tax (CAGIT) or county option income tax (COIT), the levy freeze must be funded using a minimum levy freeze rate that may not be decreased or rescinded unless the levy freeze dollar amount can be funded by a lower levy freeze rate for a year. Specifies that the maximum levy freeze tax rate is one percent (1%). Requires the adopting body to adopt an ordinance to lower the levy freeze tax rate to a rate approved by the DLGF. Requires that the allocation of property tax credits must be on the basis of the percentage of property tax replacement revenue within a property category. Removes real property, a mobile home, and industrialized housing that would qualify as a homestead if the taxpayer had filed for a homestead credit or the standard deduction and real property consisting of units that are regularly used to rent or otherwise furnish residential accommodations for periods of at least thirty (30) days from the list of real property that may be provided a homestead credit. Specifies that an adopting body must include in its allocation ordinance whether it is allocating additional revenue to funding for a public safety answering point (PSAP). Provides that unit level allocations must be based on total property taxes being imposed by the unit for the year preceding the distribution year. Makes technical changes to the local income tax laws. Corrects conflicts that involve references to the local income tax.

**PUBLIC LAW 255-2017 – HOUSE ENROLLED ACT 1450 – EFFECTIVE JULY 1, 2017**

**PROPERTY TAX MATTERS** – Amends IC 5-14-3.8-3.5, IC 6-1.1-12-1, IC 6-1.1-12-17.8, IC 6-1.1-12-45, IC 6-1.1-20.3-1.5, IC 6-1.1-37-15, IC 6-1.1-41-13, IC 33-37-5-15 and IC 36-9-27 – Provides that a political subdivision must upload a copy of a contract that the political subdivision enters into after June 30, 2016, to the Indiana transparency Internet web site if the total cost of the contract exceeds \$50,000.

Defines the terms "installment loan" and "mortgage" for purposes of the mortgage deduction.

Restates the conditions for when a taxpayer must reapply for various property tax deductions. Restates the requirement that a taxpayer file a certified statement with the county auditor when the taxpayer ceases to be eligible for the standard deduction for a property.

Provides that a multiple county property tax assessment board of appeals shall submit to the DLGF, the Indiana board of tax review, and the legislative services agency separate reports for each county participating in the multiple county property tax assessment board of appeals.

Allows a county treasurer and the county auditor to implement a policy to waive, negotiate, or settle penalties that have accrued on delinquent property taxes, if the fiscal body of the county approves the policy.

Increases the service of process fee from \$25 to \$28, provides that the clerk shall collect the fee rather than the sheriff, and distributes \$1 of the fee to the clerk's record perpetuation fund.

Provides that a redevelopment commission's annual report to the unit that created the redevelopment commission must include both a list of parcels of real property and the depreciable personal property of designated taxpayers in the redevelopment area.

Provides that the drainage board of a county may not impose interest on a drainage assessment for construction or reconstruction if the construction or reconstruction is financed through the issuance of

**PUBLIC LAW 255-2017 – HOUSE ENROLLED ACT 1450 – EFFECTIVE JULY 1, 2017**

**PROPERTY TAX MATTERS (cont.)** bonds or a construction loan. Specifies accounting procedures for drainage assessment construction or reconstruction loans having a term of fewer than six years.

**PUBLIC LAW 270-2017 - HOUSE ENROLLED ACT 1470 – EFFECTIVE JULY 1, 2017**

**GOVERNMENT INFORMATION-** Adds IC 2-5-1.7 and IC 4-3-26 - Government information. Provides standards for the access of the legislative services agency (LSA) to information held by a state or local governmental entity. Establishes the position of state data officer and a management performance hub (MPH) in the office of management and budget (OMB) to do the following: (1) Establish and maintain a program to collect, analyze, and exchange government information from executive state agencies. (2) Establish and maintain a program to make government information available to agencies, political subdivisions, educational institutions, researchers, nongovernmental organizations, and the general public. (3) Establish privacy and quality policies for government information that comply with all applicable Indiana and federal laws, rules, and policies. (4) Establish and maintain a program to ensure the security of government information. (5) Conduct operational and procedural audits of state agencies. (6) Perform financial planning and design and implement efficiency projects for state agencies. (7) Advise and assist state agencies to identify and implement continuous process improvement. Requires the MPH to conduct a study of policies and practices to be used by the MPH. Indicates that the budget director is responsible for the MPH. Recommends that governmental entities store data in an open, machine readable format. Requires governmental entities that are required by law to submit data for publication on a governmental Internet web site (web site) to submit the data on a prescribed form. Limits fees that may be charged by a web site. Provides immunity for accidental disclosure of confidential data on a web site if the data was posted in reliance on the determination by the data owner that the data was not confidential.