

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 2019 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 2019 public laws may be found on the General Assembly website at 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 3-2019 – SENATE ENROLLED ACT – 142 – EFFECTIVE JULY 1, 2019

BUILDING PERMITS. Amends IC 36-1-27 - Prohibits a building commissioner, building code official, or inspector for a local unit of government (unit) from issuing a building permit when the building commissioner, building code official, or inspector has a direct or indirect financial interest in the issuance of the permit. Requires a unit to adopt an ordinance to establish a procedure to address instances where a building commissioner, building code official, or inspector has a direct or indirect financial interest in the issuance of a permit.

PUBLIC LAW 6- 2019 - SENATE ENROLLED ACT 208 – EFFECTIVE JULY 1, 2019

ELECTRONIC FILING AND NOTICE – Amends IC 1-1-7-1 - Allows a person to use electronic filing or service instead of mailing in certain cases if electronic filing or service is authorized by rules adopted by the supreme court.

PUBLIC LAW 19 - 2019 – SENATE ENROLLED ACT 375 – EFFECTIVE JULY 1, 2019-COLLECTIONG

SOLID WASTE MANAGEMENT DISTRICT FEES – Amends IC 13-21-14-3; IC 36-1-38 - Amends the solid waste management district law and the local government law to provide that, after June 30, 2019, a unit of local government may not enact an ordinance requiring a solid waste hauler or a hauler of recyclable materials to collect solid waste management fees and remit the fees to the board of a solid waste management district or a unit of local government.

PUBLIC LAW 27 - 2019 – SENATE ENROLLED ACT 22 –EFFECTIVE JULY 1, 2019

PENSION MATTERS – Amends IC 5-10.2; IC 5-10.3; IC 5-10.4; IC 33-38;- Makes additional conforming changes with previous legislation for the purpose of allowing a retired member of PERF or TRF to make partial withdrawals from the member's annuity savings account. Rephrases provisions concerning the election to begin receiving PERF or TRF benefits while employed that applies to certain elected officials and other employees who have attained the age of 70. Rephrases the method for calculating service credit for leaves of absence taken by PERF members. Provides that money in the pension relief fund may be used for reasonable administrative expenses approved by the Indiana public retirement system. Rephrases certain provisions in the statutes governing the public employees' defined contribution plan and the teachers' defined contribution plan to remove references to the annuity savings accounts in PERF and TRF, which are no longer used to implement the two defined contribution plans. Adds the public employees' defined contribution plan and the teachers' defined contribution plan to the list of public pension and retirement funds that comprise the Indiana public retirement system. Provides that assets of the judges' retirement system and the prosecuting attorneys retirement fund are exempt from legal process and that a member may assign benefit payments only for certain medical insurance premiums and association dues for certain associations. Specifies that any postretirement benefit increase to the PERF part of a prosecuting attorney's retirement benefit has no effect on the part of the retirement benefit that is paid from the prosecuting attorneys retirement fund. Makes clarifying additions to certain provisions of the 1977 police officers' and firefighters' pension and disability fund relating to the purchase of service credit by or on behalf of members.

PUBLIC LAW 34-2019 - SENATE ENROLLED ACT 405 – EFFECTIVE JANUARY 1, 2020

ELECTION AUDITS – Amends IC 3-12-13 AND IC 3-12-14; -.Allows the secretary of state to designate counties as risk-limiting audit pilot counties and sets forth a procedure for a county to follow to be designated as a pilot county to conduct risk-limiting audits. Provides for conducting election procedure audits after an election. Authorizes the secretary of state to adopt rules detailing procedures for such audits.

PUBLIC LAW 43-2019 - HOUSE ENROLLED ACT 1019 – EFFECTIVE JULY 1, 2019

PUBLIC CONSTRUCTION – Amends IC 36-1-12 and IC 36-9-27-79.1 -Increases, from \$100,000 to \$150,000, the ceiling under which a board of aviation commissioners or an airport authority board may perform certain public construction projects with its own workforce. Increases, from \$75,000 to \$150,000 the ceiling under which a county drainage board may obtain quotes rather than advertise for bids for certain projects under the drainage law.

PUBLIC LAW 54-2019 - HOUSE ENROLLED ACT 1342 – EFFECTIVE JULY 1, 2019

TELEPHONE CPR INSTRUCTION TRAINING – Amends IC 36-8-25 - After July 1, 2020, requires an individual to complete a telephone cardiopulmonary resuscitation (T-CPR) training program (program) approved by the division of fire and building safety (division) if the individual: (1) answers 911 emergency medical telephone calls for a state or local law enforcement agency or fire protection agency, including a volunteer fire department (agency); and (2) is authorized by the agency's protocols to provide T-CPR instructions to a caller. Provides that the division may provide programs or third parties may provide programs that are approved by the division. Requires the division to: (1) adopt minimum standards for programs that meet or exceed evidence based nationally recognized emergency cardiovascular care guidelines; and (2) establish continuing education requirements. Allows the division to collect reasonable fees for providing programs and certifications that are deposited in the fire and building services fund. Sets forth certain requirements for a public safety answering point if a public safety answering point transfers a telephone caller to a public safety telecommunicator. Provides that a public safety telecommunicator who has completed a certified training program in emergency medical dispatch call handling is exempt from completing a TCPR training program. Provides civil immunity for damages relating to the provision of T-CPR instruction. Makes a technical correction.

PUBLIC LAW 69-2019 – SENATE ENROLLED ACT 488 – EFFECTIVE JULY 1, 2019

PUBLIC DEFENDERS - Amends IC 33-40-5; IC 33-40-6; IC 33-40-7 - Authorizes the Indiana public defender commission to create guidelines and requirements pertaining to a multicounty public defender's office. Authorizes a county executive to adopt an ordinance that allows the county to enter into an interlocal agreement with one or more counties for the purpose of: (1) creating a multicounty public defender's office; and (2) providing legal services to indigent persons located in the areas subject to the interlocal agreement. Requires interlocal agreements concerning indigent criminal defense to be administered by a joint board. Prohibits certain persons from acting as a member of a joint board. Specifies: (1) term limits; and (2) meeting requirements; for joint boards. Requires the auditor of one county belonging to an interlocal agreement to: (1) receive; (2) disburse; and (3) account for; all monies distributed to a multicounty public defender's office. Amends certain definitions. Makes conforming amendments.

PUBLIC LAW 71-2019 – SENATE ENROLLED ACT 570 – EFFECTIVE JULY 1, 2019

ELECTION CYBER SECURITY – Amends IC 3-5; IC 3-7; and IC 3-11 – Election cyber security. Defines "VSTOP" (the "voting system technical oversight program") in the election code. Requires the election division to, if a voter registration record does not contain a date of birth or a birth 115 years or more, to request the information from the bureau of motor vehicles. Requires the secretary of state to establish proficiency standards for individuals who are authorized to access the statewide voter registration file. Requires such individuals to meet the proficiency standards in order to access the file. Sets forth requirements to be met before delivery of an electronic poll book. Requires the county election board (rather than the inspectors), teams that meet specified requirements, or commercial delivery entities to deliver voting systems and electronic poll books to precincts and vote centers and sets requirements. Requires counties to consider relevant factors to ensure the security of polling locations. Provides that a county election board is responsible for ensuring that all electronic poll books are dedicated devices to be used only for their intended purpose and for no other activity. Provides that software not needed for the essential purpose of running the electronic poll book may not be installed on an electronic poll book. Revises the procedure for selection of machines of voting systems for testing before an election and sets time frames. Provides that after December 31, 2029, a county may not use an electronic voting system that does not have a voter verifiable paper audit trail. Provides that each application for certification of an electronic poll book must be accompanied by a fee of \$1,500. Requires these fees to be deposited in the voting system technical oversight program account. Increases the application fee for certification of voting systems from \$1,500 to \$5,000. Requires voting system vendors to conduct annual background checks on certain employees. Requires voting system vendors to report certain information relating to malfunctions of the voting systems. Sets forth requirements of correcting a ballot. Adds information required in the VSTOP evaluation report given to the secretary of state for electronic poll books. Adds certain information that must be reported by the vendor of an electronic poll book relating to an anomaly or problem with the electronic poll book. Provides that the following information is confidential: (1) administrative or technical information that would jeopardize a voting system or voter registration system; (2) infrastructure records that disclose the configuration of a voting system or voter registration system critical infrastructure; (3) resolutions adopted by a county election board to establish security protocols for elections systems; and (4) the inventory of voting systems and electronic poll books maintained by the VSTOP. Requires license branches to transmit electronically scanned copies of voter registrations.

PUBLIC LAW 75-2019 – HOUSE ENROLLED ACT 1018 – EFFECTIVE JULY 1, 2019

COUNTY PARK BOARDS – Amends IC 36-10-3 - Makes changes to: (1) the procedure for a county to adopt an ordinance creating a department of parks and recreation (department); and (2) the composition of the county park board (county board). Requires that if the county fiscal body amends the ordinance that created a department as to the members of the county board, the amended ordinance must provide that the composition of the members of the county board are selected in accordance with the remainder of the bill. Prohibits a county fiscal body (after December 31, 2019) from adopting an ordinance to create a department. Provides that, if the county fiscal body has not adopted an ordinance or has repealed the ordinance creating a department before January 1, 2020, the county executive may adopt an ordinance to create a department. Provides that in a county that has an ordinance that is in effect on June 30, 2019, the ordinance is unchanged unless amended or repealed by the county fiscal body and specifies that the county board in such a county is governed by the current law for the composition of the county board. Sets forth who may serve as an ex officio member of the county board created by the county executive using the procedure added by the bill. Makes conforming and stylistic changes.

PUBLIC LAW 77-2019 – HOUSE ENROLLED ACT 1087 – EFFECTIVE JULY 1, 2019 – PAYMENT OF COURT COSTS Amends IC 33-37-2-3 - Allows a court to reduce some or all of the court costs owed by a person who performs community service or approved uncompensated volunteer work by: (1) determining the number of hours of community service or volunteer work performed by the person; (2) multiplying the number of hours worked by the Indiana minimum wage; and (3) deducting that figure from the amount owed. Excludes from the calculation community service hours required to be performed under a plea agreement.

PUBLIC LAW 85-2019 – HOUSE ENROLLED ACT 1345 – EFFECTIVE JANUARY 1, 2020
PROPERTY TAX MATTERS— Amends numerous sections in IC 6-1.1-4; IC 6-1.1-10 - Provides that if a for-profit land developer acquires land in inventory from a school corporation or a local unit of government, the land in inventory shall be assessed as agricultural land at the agricultural land base rate on the first assessment date immediately following the date on which the land developer acquires title to the land in inventory, and thereafter the land in inventory is subject to the usual provisions for reassessment of a land developer's land in inventory. Restores the property tax exemption for certain real property that is acquired for the purpose of erecting, renovating, or improving a single family residential structure that is to be given away or sold: (1) in a charitable manner; (2) by a nonprofit organization; and (3) to low income individuals who will use the land as a family residence. Provides a property tax exemption for assessment dates occurring after December 31, 2016, for certain property owned by an Indiana nonprofit public benefit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code if: (1) the property is used in the operation of a nonprofit health, fitness, aquatics, and community center; and (2) the acquisition and development of the property are provided in part under the regional cities initiative of the Indiana economic development corporation. Allows a refund for any property taxes paid in 2018 and 2019 for property that qualifies for the exemption.

PUBLIC LAW 108-2019 – HOUSE ENROLLED ACT 1001 – EFFECTIVE JANUARY 1, 2019
STATE BUDGET – Amends IC 6-1.1-3-26; IC 6-9-29 - Provides that a taxpayer may submit, beginning in 2021, a personal property tax return using an online submission system established by the department of local government finance in collaboration with county assessors. Establishes a township assistance online pilot program to provide for ease of access and efficient application for township assistance, automate the application process for township assistance, and create a system to collect and report data regarding township assistance administration. Provides that vehicle sharing through a peer to peer vehicle sharing program is exempt from the auto rental excise tax and a county supplemental auto rental excise tax unless an ordinance is adopted to impose the county tax. Limits the county supplemental tax rate to 1%. Imposes a vehicle sharing excise tax at a 2% tax rate. Distributes the revenue from the tax to political subdivisions based on the vehicle's county of registration. Requires a marketplace facilitator to collect and remit innkeeper's tax. Provides that a county treasurer may enter into an agreement with the fiscal officer of an entity responsible for the expenditure of funds from an innkeeper's tax to furnish the fiscal officer each month with the name and retail address of each business collecting an innkeeper's tax and the amount of money collected from each business.

PUBLIC LAW 114-2019 – SENATE ENROLLED ACT 280 – EFFECTIVE JULY 1, 2019
OVER 65 PROPERTY TAX DEDUCTION - Amends IC 6-1.1-12 - Increases the deduction limitation on the assessed value of an individual's real property, or mobile home or manufactured home which is not assessed as real property, if the individual is a disabled veteran or is at least 65 years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed. Increases the amount of the deduction for those individuals. Increases the adjusted gross income limitation for individuals that are at least 65 years of age.

PUBLIC LAW 120-2019 – HOUSE ENROLLED ACT 1025 – EFFECTIVE JULY 1, 2019
COUNTY HIGHWAY ENGINEER'S SALARY-Amends IC 8-17-5- Increases the state subsidy for a county highway engineer's annual salary. Makes an appropriation.

PUBLIC LAW 121-2019 – HOUSE ENROLLED ACT 1056 – PROPERTY TAX APPEALS - Amends IC 6-1.1-15

Requires a county or township official who receives a written appeal notice from a taxpayer to forward the notice to the county auditor, if the taxpayer raises a claim regarding a matter that is in the discretion of the county auditor. Provides that the county auditor is a party before the county property tax assessment board of appeals and for any appeal of the board's decision in an appeal related to a matter that is in the discretion of the county auditor. Specifies the notice that the Indiana board of tax review (Indiana board) must file with the tax court regarding the preparation of a certified record of the proceedings related to a petition for which judicial review has been sought. Repeals a statute requiring the Indiana board to recommend that parties settle or mediate any case pending before the board if certain conditions are met. Provides that certain burden shifting requirements do not apply if the assessment that is the subject of the review or appeal is based on substantial renovations or new improvements. Provides that "small claim" means an appeal where the parties have elected to proceed under the Indiana board's small claims rules. (Current law defines the term as an appeal of a final determination of assessed valuation that does not exceed \$1,000,000.) Provides that a party must be able to elect out of the small claims rules.

PUBLIC LAW 123-2019 - HOUSE ENROLLED ACT 1086 – EFFECTIVE JULY 1, 2019 - LOCAL LICENSING AND PERMITTING - Amends IC 36-1-4-22 – Provides that if a political subdivision requires a person to post a surety bond as a condition that the political subdivision issue a license or permit to the person, a surety bond posted by the person is considered sufficient if the following are satisfied: (1) The bond is written by a surety company authorized to transact business in Indiana. (2) The obligation on the bond is for an amount that is at least the amount required by the political subdivision for the issuance of the particular license or permit. (3) The obligee or obligees named on the bond are any of the following: (A) The political subdivision that requires the bond. (B) Specifically named political subdivisions in the county that include the name of the political subdivision that requires the bond. (C) All political subdivisions in the county in which the political subdivision that requires the bond is located. (D) All political subdivisions of the same kind as the political subdivision that requires the bond located in the county. (4) The conditions of the bond otherwise comply with the requirements of the ordinance that imposes the bond condition. Provides that a political subdivision may not require the obligation on a license bond to be more than \$15,000. Provides that a person required to post a bond satisfies the posting requirement if the person files a copy of the bond with the political subdivision or appropriate agency of the political subdivision that requires the bond. Provides that a political subdivision may not require that the person record the license bond.

PUBLIC LAW 124-2019 - HOUSE ENROLLED ACT 1125 – EFFECTIVE JULY 1, 2019

CUMULATIVE CAPITAL DEVELOPMENT - Amends IC 36-9-16-3 - Permits a local government unit to establish a cumulative capital improvement fund to provide money to purchase, lease, or pay all or part of the cost of electronic monitoring equipment used by a state or local community corrections program.

PUBLIC LAW 125-2019 - HOUSE ENROLLED ACT 1128 – EFFECTIVE JULY 1, 2019

CONSTRUCTION PERMITS - Amends IC 36-7-4-709 - Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving certain permits for any Class 1 or Class 2 structures, completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat. Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving a certificate of occupancy for any Class 1 or Class 2 structure, the completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat, unless required under certain state building laws or another law to meet a local unit's basic needs for public health and safety. Requires a local governmental agency to issue certain permits to a person not later than 12 business days after the person has filed a completed application and meets all required conditions, in certain instances.

PUBLIC LAW 129-2019 - HOUSE ENROLLED ACT 1177 – EFFECTIVE JULY 1, 2019

TOWNSHIP GOVERNMENT ISSUES - Amends IC 36-1-5; IC 36-6-6; IC 36-6-9; - Requires a township to prepare a capital improvement plan for at least the ensuing three years if the balance in certain capital improvement funds in the preceding year exceeds both of the following: (1) 150% of the township's annual budget estimate. (2) \$200,000. Prohibits the township from collecting property taxes for certain capital improvement funds in the ensuing year unless the township has adopted a capital improvement plan. Allows a township to make a onetime transfer of an excess balance or part of an excess balance between township funds. Provides that the transfer may not be completed until after the township adopts a capital improvement plan, if the township is required to adopt a capital improvement plan. Requires the transfers must be completed not later than September 1, 2020. Provides that if an eligible municipality petitions an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township, the legislative body of the adjacent township must accept transfer of the territory of an eligible municipality within two years (instead of one year) after the legislative body receives the petition. Repeals a provision that prohibits the transfer of territory from taking effect in the year before a federal decennial census is conducted.

PUBLIC LAW 144-2019 - SENATE ENROLLED ACT 2 - EFFECTIVE JULY 1, 2019

SCHOOL BUS SAFETY - Amends IC 9-19-13-4; IC 9-21-8-52; IC 9-21-12; IC 9-21-12-1; IC 9-30-2-2; IC 9-30-16-1; IC 20-27; IC 33-37-5-18 and IC 33-37-7 - . Provides, in the case of an individual who commits a school bus stop arm infraction, that the court may suspend the individual's driving privileges: (1) for 90 days; or (2) if the individual has committed at least one previous school bus stop arm infraction, for one year. Increases the penalty, from a Class B misdemeanor to a Class A misdemeanor, for an individual who recklessly passes a school bus when its stop arm is extended on a roadway or a private road. Increases the penalty, from a Class A misdemeanor to a Level 6 felony for an individual who recklessly passes a school bus when its stop arm is extended if the action results in injury, and to a Level 5 felony for an individual who recklessly passes a school bus when its stop arm is extended if the action results in death. Provides that the court may suspend the driving privileges of a person who recklessly passes a school bus when its stop arm is extended: (1) for 90 days; or (2) if the person has committed at least one previous school bus arm offense, for one year. Provides that a person who has the person's license suspended may not obtain specialized driving privileges. Provides that the court may assess a safe schools fee, of at least \$200 but not more than \$1,000, to an individual convicted of recklessly passing a school bus when the stop arm is extended. Provides that 25% of the safe schools fees collected by a circuit court shall be deposited in the county general fund. Provides that 25% of the safe schools fees collected by a city or town court shall be deposited in the city's or town's general fund.

PUBLIC LAW 157-2019 - SENATE ENROLLED ACT 558 – EFFECTIVE JULY 1, 2019

ELECTION SECURITY – Amends IC 3-6-3; IC 3-6-4.9; IC 3-6-6; IC 3-7; IC 3-10; IC 3-1; IC 3-14 - Requires the secretary of state to refer suspected criminal violations of election law for investigation by the appropriate prosecuting attorney. Establishes an administrative enforcement mechanism for Enforcement of election laws other than campaign finance laws. Requires the statewide voter registration file to employ multi-factor authentication to restrict access. Allows a declination to register by the voter in certain circumstances to be used in determining whether a voter's address is current. Requires a communication that includes an absentee ballot application form to state certain information regarding the identity of the sender. Provides for administrative remedies for violations of this requirement. Requires the inspector to record certain data during election day regarding the number of voters waiting to vote. Requires voting system vendors to disclose certain information about foreign nationals who may control or have an ownership interest in the vendor. Specifies procedure for counting of absentee ballots cast on an electronic voting system. Urges the legislative council to assign to the interim study committee on elections the task of studying the topic of means for verification of voter registration data.

PUBLIC LAW 164-2019 - HOUSE ENROLLED ACT 1116 – EFFECTIVE JULY 1, 2019

VARIOUS LOCAL GOVERNMENT MATTERS – Amends – IC 5-14-1.5-6.1; IC 6-1.1-18-7; IC 36-1-12-4; IC 36-9-27-79.1 - Allows the governing body of a state or local government agency to discuss in an executive session strategy regarding a real estate transaction by the governing body. Allows the fiscal officer of a political subdivision to appropriate funds received from any private entity or individual for the purpose of repairing or replacing damaged property. (Current law allows only appropriation of funds from an insurance company.) Eliminates political party affiliation requirements for members of a utility service board or storm water management board. Allows a political subdivision to receive electronic bids for public work projects that exceed a certain amount, if the bid solicitation states the procedure for transmitting the electronic bid and the means of transmission protects the bid contents. Requires a political subdivision that receives electronic bids to provide electronic access to the notice of the bid solicitation through the computer gateway administered by the state office of technology in addition to newspaper publication. Provides that a hazardous tract of land containing a building that is not an unsafe building constitutes an unsafe premises and is subject to the unsafe building law. Specifies the procedure for notice by publication under the unsafe building law. Eliminates the requirement that a negotiable note for a public work project or eligible efficiency project be repaid by a political subdivision on January 1 and July 1 of each year of the note's term. Allows a drainage board to send written invitations for bids for construction work by electronic means. Resolves conflicts with HEA 1019-2019 and HEA 1115-2019

PUBLIC LAW 178-2019 – HOUSE ENROLLED ACT 1506 – EFFECTIVE JANUARY 1, 2020

BUREAU OF MOTOR VEHICLES - Amends IC 6-3.5-4-2; IC 6-3.5-4; IC 6-3.5-5; - Provides that if one or more of the following taxes have not been paid for one or more preceding years, the bureau of motor vehicles may collect only the tax for the year immediately preceding the current registration year, the current registration year, and the year immediately following the current registration year: (1) The county vehicle excise tax. (2) The county wheel tax. (3) The municipal vehicle excise tax. (4) The municipal wheel tax. (5) The motor vehicle excise tax. (6) The recreational vehicle excise tax. (7) The commercial vehicle excise tax. (8) The boat excise tax. Specifies to which vehicles a county vehicle excise tax, county wheel tax, municipal vehicle excise tax, and municipal wheel tax apply. Provides that an owner who has paid a surtax or wheel tax and moves out of state may be entitled to a refund. Specifies the minimum and maximum vehicle registration periods for a vehicle with an: (1) expired; and (2) unexpired; registration. Requires that all copies of all ordinances that impose, rescind, or change the rate or amount of a surtax or wheel tax be submitted in a manner prescribed by the bureau of motor vehicles (bureau).

PUBLIC LAW 193-2019 – SENATE ENROLLED ACT 529 – EFFECTIVE JULY 1, 2019

AGRICULTURAL MATTERS – Amends IC 36-1-28 - Provides that a county, city, town, or township may not adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting the establishment or maintenance of beekeeping on property that the person owns, rents, or leases. Specifies that a county, city, town, or township may adopt an ordinance, rule, regulation, or resolution that regulates certain aspects of beekeeping.

PUBLIC LAW 195-2019 – SENATE ENROLLED ACT 582 – EFFECTIVE DECEMBER 1, 2015

(RETROACTIVE) - CLAIMS CONCERNING USER FEES – Amends IC 6-1.1-15; IC 33-23-1; IC 33-28-1; IC 33-29-1; - Defines the term "user fee" as a fee, rate, or charge imposed by a political subdivision: (1) that represents a just, reasonable, and proportionate approximation of the use or privilege for use of a service, the benefit conferred by the use or privilege for use of a service, and the costs incurred by a political subdivision for providing the service or availability of the service; and (2) that is not excessive in relation to the costs incurred for providing the service. Provides that, in a taxpayer's appeal of a property tax assessment, a taxpayer may not raise any claim related to the legality or constitutionality of: (1) a user fee; (2) any other charge, fee, or rate imposed by a political subdivision; or (3) any tax imposed by a political subdivision other than a property tax. Provides that: (1) all circuit courts; (2) all standard superior courts; and (3) all superior courts that are not standard superior courts; have original and concurrent jurisdiction over claims concerning user fees. Makes a technical correction.

PUBLIC LAW 203-2019 – HOUSE ENROLLED ACT 1192 – EFFECTIVE APRIL 29, 2019

THEFT BY PUBLIC SERVANTS – Amends IC 5-10.3-8; IC 5-10.4-5; IC 35-43-4-2- Specifies that in the case of a public servant who criminally exerts unauthorized control over public funds of the public servant's employer, the employer may be reimbursed from the public servant's public pension fund contributions and benefits. Provides that the employer may withhold payment of the public servant's contributions and interest during the pendency of the criminal case, but may not withhold the: (1) monthly pension portion of a retired public servant; or (2) disability benefits of a public servant who becomes disabled; during that time. Provides that assets of the judges' retirement system and the prosecuting attorneys retirement fund are exempt from levy, sale, garnishment, attachment, or other legal process. (Current law provides similar exemptions for certain funds administered by the Indiana public retirement system.)

PUBLIC LAW 209-2019 - HOUSE ENROLLED ACT 1375 – EFFECTIVE JULY 1, 2019– STATE BOARD OF ACCOUNTS - Amends IC 5-11-1-9; IC 5-11-1-9.5; IC 6-1.1-37-10; IC 36-2-5 - Makes various changes to statutes concerning the state board of accounts (board). Provides that an examination of an entity shall be limited to matters relevant to the use of public money received by the entity. Relocates language addressing examinations of certain not-for-profit corporations. Provides that an examination of a not-for-profit corporation that derives at least 50% but less than \$750,000 (rather than \$200,000, under current law) of its disbursements from appropriations, public funds, taxes, and other sources of public expense shall be limited to matters relevant to the use of the public money received by the entity. Provides that an individual may confidentially report suspected malfeasance, misfeasance, or nonfeasance that involves an individual who has responsibility for administering public funds on behalf of an entity. Expands the list of individuals to whom the board may disclose examination workpapers and investigation records. Makes changes to the procedure governing the payment of delinquent property taxes and specifies how delinquent property tax payments are to be applied. Eliminates a requirement that the county auditor transmit a monthly financial report to the board. Authorizes a county fiscal body to establish a salary schedule that includes greater compensation for the presiding officer or secretary of the county fiscal body or county executive if certain conditions are satisfied. Defines "compensation" for purposes of statutes concerning compensation paid to elected county, city, town, and township officials (local elected officials). Provides that certain information must be included in an ordinance establishing compensation for local elected officials. Makes corresponding changes. Renames the board trust and agency fund the examinations fund. Annually appropriates money in the fund for the payment of the board's expenses for examinations. Provides that money in the fund does not revert to the state general fund. Requires that the board certify the expense incurred for an examination as needed.

PUBLIC LAW 214-2019 – SENATE ENROLLED ACT 171 – EFFECTIVE JULY 1, 2019– STATE AND LOCAL ADMINISTRATION - Amends IC 6-1.1-12; IC 6-1.1-39; IC 36-7-14; IC 36-7-15.1 IC 36-7-30; - Makes the filing deadlines for property tax deductions applicable to mobile homes and manufactured homes that are not assessed as real property the same as the filing deadlines for property tax deductions applicable to real property. Repeals the coal conversion system property tax deduction, the coal combustion product property tax deduction, the recycled coal combustion byproduct personal property tax deduction, the aircraft property tax deduction, the intrastate aircraft property tax deduction, the Hoosier alternative fuel vehicle manufacturer investment income tax credit, and the local income tax option hiring incentive credit. Extends the legislative services agency tax incentive review schedule from five to seven years. Provides that a redevelopment commission or other entity that creates a tax increment financing area shall file the resolution and supporting documents that create the tax increment financing area with both the county auditor in which the tax increment financing area is located and the department of local government finance within 30 days after the redevelopment commission or other entity takes final action on the resolution. Provides that if a redevelopment commission or other entity that creates a tax increment financing area files the resolution and supporting documents with either the county auditor and the department of local government finance after the first anniversary of the effective date of the tax increment financing area, the county auditor shall compute the base assessed value of the tax increment financing area using the assessment date immediately preceding the later of the date on which the documents were filed with the county auditor or the date on which the documents were filed with the department of local government finance. Urges the study of the advisability of eliminating the mortgage property tax deduction and the advisability of increasing the homestead standard deduction.

PUBLIC LAW 219-2019 - SENATE ENROLLED ACT 235 – EFFECTIVE JULY 1, 2019

EXPUNGEMENTS - Amends IC 34-26-7.5 and IC 35-38 - Defines "collateral action" as an action that is factually or legally related to an arrest, a criminal charge, a delinquency allegation, a criminal conviction, or a delinquency adjudication. Specifies that certain information relating to: (1) an arrest; and (2) a collateral action is required to be sealed or marked expunged if a petition for expungement is granted. Specifies that an amendment affecting the information required to be expunged, marked as expunged, or otherwise sealed or restricted does not apply to an expungement order granted before the effective date of the amendment. Sets forth a procedure for a person to file a petition for a supplemental order of expungement. Provides that a person convicted of a felony that resulted in death to another person may not seek expungement of that felony. Strikes and relocates a provision relating to certain nonpublic records maintained by a law enforcement agency, and specifies that this provision also applies to records maintained by a public defender agency. Establishes a method for a person to expunge a protection order if the petition for a protection order is dismissed or denied. Requires an IDACS coordinator to remove the name of a respondent from the Indiana protective order registry when the IDACS coordinator receives notice from the county clerk that the protective order against the respondent has been dismissed.

PUBLIC LAW 235-2019 – SENATE ENROLLED ACT 566 – EFFECTIVE JULY 1, 2019 – RESIDENTIAL TAX INCREMENT FINANCING - Amends IC 36-7-14 - Permits a redevelopment commission to establish a program for residential housing development and a tax increment funding allocation area for the program if the average of new, residential houses constructed in the county or municipality in the preceding three years is less than 1% of the total number of residential houses in the county or municipality. Requires the department of local government finance, in cooperation with appropriate county and municipal agencies, to determine eligibility for the program. Provides that a program may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program. Defines "residential housing" as housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment

PUBLIC LAW 239-20189- HOUSE ENROLLED ACT 1065 – EFFECTIVE APRIL 30, 2-019

REGIONAL HOLDING FACILITY – Amends IC 4-20.5-7; IC 5-2-6-3; IC 5-23-1-3; IC 11-8-2-5; IC 11-12-6.5- Provides that a "regional holding facility" is an existing facility that is currently established and operated by the department of correction (department) that offers mental health and substance abuse treatment, workforce development, educational programs, and other evidence based programs designed to reduce recidivism. Provides that a local economic development organization may enter into a regional holding facility lease agreement with the department of correction to: (1) address the issue of jail overcrowding in Indiana; (2) reduce recidivism by offering programs in an unused department of correction facility; and (3) obtain federal funding to operate the facility. Establishes conditions under which a county sheriff may transfer certain confined jail offenders to a regional holding facility. Establishes requirements for transfer agreements between the department and county sheriffs. Requires the department to collect data and report the outcomes of services provided by a regional holding facility to the legislative council. Provides that reimbursements paid by the state to the county for the costs of incarcerating a confined jail offender shall be used to pay for a confined jail offender housed in either a regional holding facility or a county jail. Provides that the Indiana criminal justice institute shall identify any federal, state, or local grants that can be used to assist in the funding and operation of regional holding facilities. Allows political subdivisions to enter into public-private agreements with an operator to accomplish the design, financing, construction, acquisition, improvement, renovation, equipping, operation, or maintenance of a regional jail. Establishes the county jail overcrowding task force to: (1) conduct a statewide review of jail overcrowding; and (2) study the issue of how to reduce recidivism for convicted felons in county jails by offering programs designed to reduce recidivism. Requires the justice reinvestment advisory council to conduct a statewide review of bail reform and pretrial issues and to identify common reasons and possible local, regional, and statewide solutions.

PUBLIC LAW 257-2019 – HOUSE ENROLLED ACT 1427 – EFFECTIVE JULY 1, 2019

LOCAL GOVERNMENT MATTERS - Amends various statutes - Provides that, if a political subdivision publishes or submits to the department of local government finance's (DLGF) computer gateway a notice that contains an error or omission that inaccurately reflects the tax rate, tax levy, or budget actually proposed or fixed by the political subdivision by an amount that is less than 0.1%, the notice is a valid notice and the DLGF shall correct the error or omission. Provides that the state board of accounts, instead of the budget agency, is to approve audits for regional development authorities and allows for private examiners to perform audits. Excludes political subdivisions that do not have the power to impose property taxes from the requirement to upload a digital copy of certain contracts on the Indiana transparency Internet web site. Specifies the deadlines for county auditors to submit property tax settlement and distribution information to the DLGF. Repeals the electronic digital signature act. Specifies the calculation of the acquisition cost of depreciable personal property acquired in like kind exchange for personal property tax purposes. Removes the provision in current law that requires the DLGF to be a party to any contract in which a county assessor employs professional appraisers as technical advisers for assessments. Provides that the standard contract to employ professional appraisers is void if: (1) the appraiser is not certified at the time the contract is executed; or (2) the DLGF subsequently revokes the appraiser's certification. Eliminates the permissive written demand to a county resident who is delinquent in the payment of personal property taxes during the period from May 10 to October 31. Changes the time period from at least 21 to 30 days for the county treasurer's notice of the sale of a mobile home. Makes the filing deadlines for property tax deductions applicable to mobile homes and manufactured homes that are not assessed as real property the same as the filing deadlines for property tax deductions applicable to real property. Amends the definition of "owner" (for purposes of the property tax statutes) to delete the provision specifying that an owner of tangible property includes the holder of a tenancy for a term of years. Requires county auditors to submit data on deductions applicable to the current tax year to the homestead property at a base on or before March 15 of each year, in a manner prescribed by the DLGF. Specifies that if a penalty is imposed on a taxpayer for failing to declare on the taxpayer's tax return that the taxpayer is entitled to the exemption for business personal property, the county shall include the penalty on a property tax bill associated with the tax district in which the majority value of the taxpayer's business personal property within the county is located. Eliminates (effective retroactive to July 1, 2017) several property tax deduction and credit reapplication requirements that were added by HEA 1450-2017 concerning unmarried taxpayers who married, married taxpayers who divorced, and taxpayers who came to own their property jointly or as tenants in common with another individual. Provides that a person seeking a property tax exemption for property used for a charitable purpose may file an exemption application up to 30 days following the statutory deadline for the exemption application if the person pays a late filing fee. Makes changes to the time frame for the board of tax review to conduct a hearing and issue a determination. Requires that the budget notice that political subdivisions must publish on the DLGF's computer gateway must also include information concerning the percentage change between the current and proposed tax levies of each fund. Specifies that a political subdivision shall file the budget adopted by the political subdivision with the DLGF not later than five business days after the budget is adopted. Authorizes the DLGF to adopt rules for procedures related to local government budgeting. Specifies that the adoption, amendment, or repeal of such a rule by the DLGF may not take effect before March 1 or after July 31 of a particular year. Requires a political subdivision to adopt the needed changes to its budget, tax levy, or rate in a public meeting if the political subdivision's tax levy is increased by the DLGF to an amount that exceeds the amount originally advertised or adopted by the political subdivision. 2019 Provides for an extension of time to submit a city's budget in the case of a veto after October 1. Provides that Highland Township in Greene County may increase its maximum township property tax levy for 2020 and thereafter. Provides that Taylor Township in Greene County may increase its maximum township property tax levy and its maximum fire protection and emergency services property tax levy for 2020 and thereafter. Allows Green Township in Hancock County to increase its maximum levy for the township's general fund to offset the reduction in the maximum levy that occurred beginning in 2003 that was based on the township's actual levy (levy banked amount). Requires the DLGF to increase the North Harrison fire protection territory provider unit's maximum permissible ad valorem property tax levy for purposes of IC 36-8-19 for property taxes due and payable in 2020 if a petition requesting an increase is filed. Provides that a civil taxing unit may not request permission to impose a property tax on account of revenue shortfalls, if the revenue shortfall preceded the most recent certified budget for the civil taxing unit by more than five years. Requires a statement in the county treasurer's notice of intention to sell mobile homes that the county treasurer will apply for a court judgment against the mobile homes for an amount that is set by the county executive and that includes collection expenses.

PUBLIC LAW 257-2019 (CONT.)

Provides that whenever no bid is received on a mobile home, the taxpayer who is delinquent in the payment of taxes causing the tax sale maintains ownership of the mobile home and liability for the delinquent taxes. Repeals the statute providing for a county board of tax adjustment. Repeals provisions related to the county board of tax adjustment and the local budgeting process. Specifies that: (1) rules adopted by the DLGF for the appraisal of real property may not apply to any appraisal contemporaneously being conducted under a county's reassessment plan; and (2) rules adopted by the DLGF may first apply to the reassessment phase beginning in the following calendar year under a county's reassessment plan. Requires a county that enters into a contract for computer software and with a software provider to upload the contract to the Indiana transparency Internet web site. Specifies that for purposes of attributing the amount of a property tax deduction or exemption to the gross assessed value of a property: (1) a deduction or exemption that is specific to an improvement shall be applied only to the assessed value allocation pertaining to that improvement; and (2) to the extent that a deduction or exemption is not specific to an improvement, the deduction or exemption shall be applied in the order that will maximize the benefit of the deduction or exemption to the taxpayer. Provides that the county executive (instead of the DLGF) may cancel any property taxes assessed against real property owned by a county, township, city, town, or body corporate and politic under certain circumstances. Removes local income tax economic development allocations from the adjustment to Clark County's economic development revenue allocation. Extends the maximum time period from 20 to 22 years for the allocation of local income taxes for correctional and rehabilitation facilities. Limits to 20% the amount of revenue that may be used for operating expenses for correctional facilities and rehabilitation facilities in the county if the ordinance to impose the tax rate is adopted after June 30, 2019. Changes the timeline for providing local income tax distribution numbers to local units. Allows the board governing a: (1) municipal water or sewer provider; (2) municipal department of sanitation; or (3) sewage disposal plant service provider; to fix the time within which service charges become delinquent and service may be discontinued due to nonpayment of charges. (Currently these time periods are provided by statute.) Provides a formula for determination of a county's required appropriation amount for the operation of community mental health centers (other than in Marion County for calendar years 2019 through 2021) based on the increase, if any, in the certified levy for funding over the previous two years after application of the tax caps. Revises a statute concerning the investment of proceeds from the sale of the Montgomery County hospital. Provides that certain parties may elect to be represented by the office of the attorney general under a written agreement between the party and the office of the attorney general. Provides that certain statutes relating to the lease of real property by a political subdivision do not apply to a lease if the total annual cost of the lease is less than \$250,000. Validates a lease entered into by a political subdivision before January 1, 2019, with an annual cost of less than \$250,000 if the political subdivision's leasing agent did not comply with these statutes when the lease was entered into. Specifies that all members or employees of a volunteer fire department who also serve on the fiscal body of a local government unit must abstain from voting on the unit's budget. Authorizes a county fiscal body to establish a salary schedule that includes greater compensation for the presiding officer or secretary of the county fiscal body or county executive if certain conditions are satisfied. Increases, from \$5 to \$10, the amount of the county fee that a county auditor shall charge for endorsing a real estate conveyance document and provides that the fee revenue must be used for developing or maintaining plat books, in traditional or electronic format. Provides that money in the county elected officials training fund may be used to provide: (1) travel, lodging, and related expenses associated with any training paid for from the fund; and (2) training of one or more designees of a county elected official if sufficient funds are appropriated by the county fiscal body. Provides that money in the county elected officials training fund may be used for the newly elected official training course expenses. Provides that the failure of an individual to complete the required training does not prevent the individual from taking an office to which the individual was elected. Provides that an individual elected to certain county offices must take a newly elected official training course before the individual first takes office. Provides that the newly elected official training course counts toward the individual's other elected official training requirements. Requires the clerk and fiscal officer of all cities and towns to complete at least: (1) 14 hours of training courses within one year; and (2) 36 hours of training courses within three years. Provides that a training course that an individual completes after being elected or appointed as clerk or fiscal officer of a city or town and before the individual begins serving in office applies toward the training requirements. Requires all city and town clerks and fiscal officers to fulfill the training requirements for each term the clerk or fiscal officer serves in office. Provides, in the case of a city or town that reorganizes, that the individual who performs the functions of clerk or fiscal officer for the reorganizing city or town shall comply with the training requirements for the

PUBLIC LAW 251-2019 (CONT.)

reorganized political subdivision. Provides that a redevelopment commission may issue bonds or enter into leases with a term of up to 35 years to finance a project that includes, as part of the project, the use and repurposing of two or more buildings and structures that are: (1) at least 75 years old; and (2) located at a site at which manufacturing previously occurred over a period of at least 75 years. Specifies that in the case of an allocation area for such a project, the expiration date of the allocation provision may not be more than 35 years after the date on which the allocation provision is established. Provides that a redevelopment commission or other entity that creates a tax increment financing area shall file the resolution and supporting documents that create the tax increment financing area with both the county auditor in which the tax increment financing area is located and the DLGF within 30 days after the redevelopment commission or other entity takes final action on the resolution. Provides that if a redevelopment commission or other entity that creates a tax increment financing area files the resolution and supporting documents with either the county auditor and the DLGF after the first anniversary of the effective date of the tax increment financing area, the county auditor shall compute the base assessed value of the tax increment financing area using the assessment date immediately preceding the later of the date on which the documents were filed with the county auditor or the date on which the documents were filed with the DLGF. Extends a pilot program in Lake County concerning disposal of certain real property. Removes the appointment of members to the Fort Harrison reuse authority by the Indianapolis mayor and by Marion County. Provides that a city or town may contract for fire protection services and requires that a contract for fire protection services be in writing and for a fixed term. Voids an annexation remonstrance waiver (waiver) executed before July 1, 2003. Voids a waiver executed after June 30, 2003, and before July 1, 2019, unless the waiver was recorded in the county where the property is located before January 1, 2020. Voids a waiver executed after June 30, 2019, unless the waiver was recorded in the county where the property is located within 30 business days after the date the waiver was executed. Provides that a waiver executed after June 30, 2003, that was properly recorded expires 15 years after the date the waiver was executed. Provides that waivers voided under the bill do not invalidate annexations that were effective before July 1, 2019. Urges the legislative council to assign to an appropriate interim study committee, for study during the 2019 interim of the general assembly, the topic of local income taxes, including revenue allocations and uses. Urges the study of the advisability of eliminating the mortgage property tax deduction and the advisability of increasing the homestead standard deduction. Urges the study of automatic enrollment of employees in a political subdivision's deferred compensation plan. Urges the study of allowing municipalities to make deposits of a certain amount to a vendor or service provider for certain transactions. Makes technical conforming changes.

PUBLIC LAW 259-2019 - HOUSE ENROLLED ACT 1473 – EFFECTIVE APRIL 30, 2019

INDIANA BOND BANK - Amends IC 5-1-3.1; IC 5-1.5; IC 6-3.6-9; IC 6-3.6-11 - Allows the Indiana bond bank to require certain entities to establish separate reserve accounts as additional security in connection with the issuance of bonds or notes. Allows and establishes terms and procedures for certain entities to assign or otherwise transfer a future stream of revenue to the Indiana bond bank or certain other entities to obtain funding. Establishes conditions under which the state board of finance may sell, transfer, or liquidate agreements that evidence the state's right to make deductions from state tuition support to pay advances from the common school fund under the school corporation and charter school safety advance program. Provides that the state board of education must report to the budget committee each year on any defaults on the repayment of advances from the common school fund by charter schools that have closed or otherwise ceased operations. Requires the department of local government finance to notify the Lake County auditor of the estimated and certified tax revenue that will be withheld from revenue allocated for economic development purposes for certain civil taxing units and distributed to the secretary-treasurer of the northwest Indiana regional development authority (authority). Requires the auditor of state to withhold local income tax revenue from the revenue allocated for economic development purposes for certain civil taxing units in Lake County and distribute it to the secretary-treasurer of the authority. Provides for distribution of certain amounts collected by the authority if a full funding grant agreement is not entered into for the West Lake corridor project.

PUBLIC LAW 272-2019 – SENATE ENROLLED ACT 127 – EFFECTIVE JULY 1, 2019

REFERENDUM FOR SCHOOL SAFETY - Amends IC 6-1.1-20; - Allows a school corporation to adopt a resolution to place a referendum on the ballot to impose a school safety referendum tax levy to improve school safety. Allows a school corporation to impose a school safety referendum tax levy if approved by a majority of the voters. Requires a school corporation to certify a copy of: (1) the resolution to place a referendum for a school safety referendum tax levy on the ballot; and (2) the language for the question; to the department of local government finance (department) for review and approval. Provides that voters may not approve a school safety referendum tax levy that is imposed for more than 8 years. Provides that a school safety referendum tax levy may be reimposed or extended. Requires a county auditor to distribute proceeds attributable to property taxes imposed after being approved by the voters in a referendum to the school corporation. Specifies when a referendum is to be held. Requires the circuit court clerk of each county to certify the results of the referendum for a school safety referendum tax levy to the department. Provides that if a school safety referendum tax levy is approved by the voters in a school corporation in a calendar year, another school safety referendum levy question may not be placed on the ballot in the school corporation in the following calendar year. Provides that if a school corporation imposes a school safety referendum tax levy approved in a referendum, the school corporation may not simultaneously impose more than one additional school safety referendum tax levy approved in a subsequent referendum. Provides that during the period beginning with the adoption of a resolution by a school corporation to place a school safety referendum tax levy question on the ballot and continuing through the day on which the referendum is submitted to the voters, the school corporation may not promote a position on the referendum by taking certain actions. Provides that a school board member, school corporation superintendent, school corporation assistant superintendent, or chief school business official of a school corporation may discuss and personally advocate a position on a referendum for a school safety referendum tax levy outside a regular school day as long as public funds are not used. Requires the governing body of a school corporation for which a school safety referendum tax levy is approved to establish a school safety referendum tax levy fund (fund). Specifies purposes for which money from the fund may be used. Requires the governing body of a school corporation for which a school safety referendum tax levy is approved to establish a school safety referendum debt service fund. Specifies purposes for which money from the school safety referendum debt service fund may be used. Provides that if a school safety referendum tax levy has been approved by the voters in a school corporation at any time in the previous three years, the school corporation may not adopt a resolution to place a school referendum tax levy on the ballot. Requires a school corporation to include in a controlled project any capital improvements necessary to complete components of the most recent threat assessment of the buildings within the school corporation or school safety plan that have not been completed or that require additional funding to be completed. Expands the use of a matching grant from the Indiana secured school fund by a school corporation or charter school (school) to allow the school to use the matching grant to provide a response to a threat in a manner that the school sees fit, including the use of firearms training or other self-defense training. Requires that a school resource officer participate in the development of programs designed to identify, assess, and provide assistance to troubled youth.

PUBLIC LAW 273-2019 - SENATE ENROLLED ACT 233 – EFFECTIVE JULY 1, 2019

BUSINESS PERSONAL PROPERTY TAX EXEMPTION - Amends IC 6-1.1-3; IC 6-1.1-4; IC 6-1.1-37-2;- Provides that not later than 30 days prior to the filing date, the appropriate assessor shall provide notification to each person whose personal property is subject to assessment. Increases, from \$20,000 to \$40,000, the acquisition cost threshold for the business personal property tax exemption. Specifies that a taxpayer who is eligible for a personal property tax exemption must include on the taxpayer's personal property tax return: (1) information concerning whether the taxpayer's business personal property within the county is in one location or multiple locations; and (2) an address for the location of the property. Provides that the appropriate county officer designated by the county executive (rather than the assessor, under current law) is responsible for: (1) maintaining data files of the geographic information system characteristics of each parcel in the county as of each assessment date; and (2) submitting those files to the geographic information office of the office of technology. Repeals provisions in current law that allow a county council to impose a local service fee on each person that has exempt business personal property because the business personal property does not exceed the acquisition threshold. Removes outdated provisions

PUBLIC LAW 277-2019 - SENATE ENROLLED ACT 535 – EFFECTIVE JULY 1, 2019

EXTRATERRITORIAL POWERS OF MUNICIPALITIES - Amends IC 8-22-2-10; IC 8-22-3-15; IC 36-8-2 - Repeals the general authority of a city or town (municipality) to regulate conduct or property use endangering public health, safety, and welfare within four miles outside of its municipal boundaries and provides that the repeal: (1) does not void such an ordinance or resolution adopted before January 1, 2019, or prevent the validity of such an ordinance or resolution from being challenged in a legal proceeding; and (2) voids such an ordinance or resolution adopted after December 31, 2018. Repeals the general authority of a municipality to: (1) impose restrictions upon persons or animals in order to prevent injury or disease; and (2) capture and destroy animals; within four miles outside its boundaries. Voids any such ordinances or resolutions adopted by a municipality before July 1, 2019. Provides that a municipality may only exercise eminent domain within the municipality unless a statute expressly provides otherwise. Eliminates the express authority of a municipal park board to acquire property outside its boundaries by eminent domain. Provides that a municipal airport board may exercise eminent domain: (1) within four miles outside its municipal boundaries; and (2) more than four miles outside its municipal boundaries in order to acquire land contiguous to an airport that existed on January 1, 2019. Repeals the general authority of a municipality to do the following with regard to watercourses located within 10 miles outside the municipal boundaries: (1) Change the channel of, dam, dredge, remove an obstruction in, straighten, and widen a watercourse. (2) Regulate the taking of water, or causing or permitting water to escape, from a watercourse. (3) Regulate conduct that might alter the temperature of water, or affect the flow of water, in a watercourse. (4) Regulate the introduction of any substance into a watercourse or onto its banks. (5) Purify the water in a watercourse. Provides that the repeal of the powers in (1) through (5) regarding watercourses: (1) voids any municipal ordinances or resolutions adopted before July 1, 2019 that exercise those powers; (2) does not affect a municipality's ability to take water from a watercourse within the 10 mile area outside its boundaries; and (3) does not affect a municipality's authority under these sections with regard to a municipal park existing on June 30, 2019, that is located within 10 miles outside the municipal boundaries. Allows a municipality to continue to exercise eminent domain to acquire property outside its boundaries, if it has reached a specified point in the eminent domain proceedings on January 1, 2019. Provides that for comprehensive plans that were initially adopted before July 1, 2019, if the municipal plan commission provided in its comprehensive plan for the development of a contiguous unincorporated area, the municipal plan commission may continue to exercise territorial jurisdiction over that area unless the jurisdiction of the municipal plan commission is terminated as provided by law. Provides that for comprehensive plans that are initially adopted after June 30, 2019: (1) If the municipality is located in a county that has not adopted a comprehensive plan covering the contiguous unincorporated area and the municipality is providing municipal services to the contiguous unincorporated area, the municipal plan commission may exercise territorial jurisdiction over that area by filing certain notices. (2) If the municipality is located in a county that has adopted a comprehensive plan and ordinance covering the contiguous unincorporated area, the municipal plan commission may exercise territorial jurisdiction over that area only if it obtains the approval of the county legislative body of each affected county. Provides that the power to aid, maintain, and operate public parks, playgrounds, and recreation facilities and programs may be exercised by a municipality with regard to a municipal park located within 10 miles outside the boundaries of the municipality that exists on June 30, 2019.

PUBLIC LAW 278-2019- SENATE ENROLLED ACT 560 EFFECTIVE JULY 1, 2019

VARIOUS ELECTION LAW MATTERS - Amends IC 3- Makes the following changes in election law: (1) Removes provisions relating to candidates for President of the United States filing ballot placement requests with the secretary of state. (2) Provides that the election division annual training conference for county election officials must include information on cybersecurity and physical security practices for the statewide voter registration system, voting systems, and polling places. Requires the attendance of bipartisan board of registration members and permits clerks and board members to designate a number of chief deputies to attend. (3) Specifies that absentee reports generated by the statewide voter registration data base are required to be in a specified format, and may be generated in other formats. (4) Requires a notice to be sent to an applicant whose voter registration application is denied because the acknowledgment card was returned as undeliverable. (5) Authorizes the Indiana election commission to determine the validity of a candidate's nomination for certain offices. (6) Provides that a voter may not change the political party primary ballot that the voter has requested. (7) Establishes a procedure for casting a voter's ballot if the voter does not complete the procedures for casting the voter's ballot on an electronic voting machine or if a voter abandons a paper ballot. (8) Provides that an electronic poll book may not be used at an election if the poll book is delivered to the county election board less than 60 days before the election unless the voting system technical oversight program (VSTOP) has previously authorized in writing to the contrary.

PUBLIC LAW 278 – 2019 (CONT.)

(9) Provides that a precinct may not be established if any precinct would have less than 600 active voters except in certain circumstances. (10) Provides that a county election board or a board of elections and registration does not have the power to extend the hours that the polls are open on election day. (11) Establishes standards for issuance of an order by an Indiana court or administrative agency to extend the hour for closing of the polls. Requires that specific findings be made by a court before issuing an order to extend polling place hours and makes other amendments concerning appeals in such cases. (12) Removes the shortened period during which absentee ballots by mail may be sent when a county election board shortens the period during which in-person absentee ballots may be voted. (13) Modifies the procedure for checking sample ballots for compliance with official ballots to make the procedure practical for counties using vote centers. (14) Provides that the state voting system inventory maintained by the VSTOP and any county election board resolution adopting alternative voting system security plans are confidential. (15) Provides that, in Marion County, ballots cast at a vote center are not required to be sorted by precinct unless a recount is requested. (16) Provides that, in Marion County, absentee ballot envelopes may be opened by machine instead of by absentee ballot counters. (17) Provides that, in Marion County, an individual who is: (a) a citizen of the United States; (b) registered to vote in Indiana; and (c) at least 18 years of age; may be appointed to serve as an absentee ballot counter or a courier, if the county election board adopts a resolution by a unanimous vote of its entire membership authorizing the appointment of such individuals. (18) Prohibits a county election board from scanning a voted absentee ballot card using an optical scan ballot scanner before election day, and instead requires that the voted absentee ballot card be placed in a secure envelope until election day. (19) Clarifies that the county fiscal body sets the per diem and mileage rates for all types of absentee board members. (20) Requires a county election board to take certain action regarding a provisional ballot that is cast by an individual who is registered to vote in an Indiana county other than the county in which the provisional ballot was cast. (21) Requires all counties to count absentee ballots at a central location. (22) Establishes a deadline to file a small town primary ordinance with the county. (23) Provides that certain notice requirements do not apply to an early candidate vacancy filled by a county chairman or by a committee consisting of the county committee's chairman, vice chairman, secretary, and treasurer. (24) Sets forth procedures when notice of a resignation was received but timely notice was not provided. (25) Provides that any voter of a school corporation may challenge a candidate for election to the governing body of the school corporation if there is no candidate who is entitled to contest the election of the candidate. (26) Makes various technical changes in election law relating to: (a) ballots; (b) election administration; (c) voter registration; (d) candidates; (e) public questions; (f) polling places; (g) initialing ballots; (h) payment of expenses of the state recount commission; and (i) certification of public questions relating to certain school corporation tax levies. (27) Updates and corrects dates and other references in election law. (28) Repeals several obsolete provision relating to: (a) preservation of certain documents; (b) election administration; and (c) establishment of a single county executive. Makes technical and conforming changes.

PUBLIC LAW 283-2019 - HOUSE ENROLLED ACT 1311 – EFFECTIVE JULY 1, 2019

ABSENTEE BALLOTS - Amends IC 3-11-4-3 - Requires certain applications for an absentee ballot to be received not later than 11:59 p.m. 12 days before the date of an election. (Under current law, these applications must be received not later than 11:59 p.m. eight days before an election.) Allows certain applications for an absentee ballot to be transmitted by electronic mail. Provides that, for every election held after December 31, 2019, an application for an absentee ballot is an adequate application for an absentee ballot if it is received not earlier than December 1 of the year before any election. (Under current law, this provision applies only to primary elections.)

PUBLIC LAW 290-2019 – HOUSE ENROLLED ACT 1402 – EFFECTIVE JULY 1, 2019

INNKEEPER'S TAX AND OTHER LOCAL TAXES – Amends IC 6-9 - Renames the convention center operating fund established under the Vanderburgh County innkeeper's statute to the convention center operating, capital improvement, and financial incentive fund (fund). Provides that expenditures from the fund for a convention center in Vanderburgh County may be used only for operating expenses, capital improvements, and financial incentives to attract new businesses. Changes the date on which Vanderburgh County innkeeper's tax revenue deposited in the fund decreases from the amount equal to the revenue generated by a 2% innkeeper's tax rate to the amount equal to the revenue generated by a 1% innkeeper's tax rate. Allows the Clark County and Floyd County councils to adopt substantially similar ordinances to increase the innkeeper's tax rate in both counties from 4% to 6%. (These taxes were imposed by state law in 1976.) Allows the Allen County council to adopt an

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ordinance to increase the innkeeper's tax rate in the county from 7% to 8%. (The tax was imposed by state law before 1980.) Provides that if an ordinance to increase the innkeeper's tax rate to 8% is in effect in Allen County, the minimum part of the innkeeper's tax proceeds used to provide development and promotion grants within the county increases from 2/7 to 3/8. Allows the fiscal body of White County to levy the county innkeeper's tax on resorts and any other buildings or structures in the county in which lodging is regularly furnished for consideration. Repeals the innkeeper's tax law specific to Howard County. (Howard County elected to impose an innkeeper's tax under the uniform innkeeper's tax law beginning in 2014.) Provides that the maximum innkeeper's tax rate for Howard County under the uniform innkeeper's tax law is 8% on the gross income derived from lodging income. (Current law authorizes a maximum tax rate of 5% under the uniform innkeeper's tax law.) Authorizes Knox County to establish an innkeeper's tax at a rate not to exceed 6%. Provides that, if Knox County adopts a rate that exceeds 5%, the amount of the additional tax revenue from the increased rate shall be paid to the Grouseland Foundation, Inc., to be used only for the restoration, maintenance, and operations of the Indiana territorial mansion and presidential site of William Henry Harrison located in Vincennes. Authorizes Brown County to impose a \$1 admissions tax upon admissions to the indoor performing arts center. Specifies how the revenue may be used. Permits the county to enter into an operating lease with the convention and visitors commission and a contract with a nonprofit organization to operate the indoor performing arts center. Authorizes the city of Attica to impose a food and beverage tax. Authorizes the town of Danville to impose a food and beverage tax. Authorizes the city of Greenwood to impose a food and beverage tax. Authorizes the town of Whitestown to impose a food and beverage tax.