

# CITIES AND TOWNS BULLETIN

AND UNIFORM COMPLIANCE GUIDELINES  
ISSUED BY STATE BOARD OF ACCOUNTS

JUNE 2015 - PART ONE

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## 2015 LAWS AFFECTING CITIES AND TOWNS

The following is a listing of laws enacted by the General Assembly that are related to cities, towns and municipally owned utilities. This is not intended to be an expression of a legal opinion. If you have any questions regarding legal interpretation, please consult your city or town attorney. We have listed the laws in public law order sequence and the references are to the Indiana Code.

### PUBLIC LAW 5 - SENATE ENROLLED ACT 4 – EFFECTIVE MAY 4, 2015 and JULY 1, 2015

TECHNICAL CORRECTIONS – Makes corrections to several sections of the Indiana Code.

### PUBLIC LAW 8 - SENATE ENROLLED ACT 265 – EFFECTIVE JULY 1, 2015

PURCHASE OF SERVICE CREDIT – PERF – Amends IC 5-10-5.5-7.5, IC 5-10.3-7-4.5, IC 5-10.3-7-4.6, Adds IC 5-10.3-7-4.7, Amends IC 5-10.3-7-4.8, IC 5-10.3-7-5, IC 5-10.4-4-4, IC 5-10.4-4-5, IC 5-10.4-4-6, IC 5-10.4-4-8, IC 36-8-8-8.3, IC 36-8-8-8.5, IC 36-8-8-8.8 - Permits a member of the Public Employees' Retirement Fund (PERF) to purchase at full actuarial cost the member's prior service in the 1977 Police Officers' and Firefighters' Pension and Disability Fund (1977 Fund). Requires the board of trustees of the Indiana Public Retirement System to transfer from the 1977 Fund to PERF the member's contributions and the present value of the unreduced benefit payable upon retirement that is attributable to the member. Requires the transferred amounts to be credited against the contributions required to purchase the member's prior 1977 Fund service. Permits the member's employer to pay all or a part of the member's contributions required for the purchase of the member's prior 1977 Fund service. Provides that credit in the 1977 Fund for the service that is purchased is waived. Makes a technical correction to service purchase provisions of public pension and retirement funds.

### PUBLIC LAW 10 - SENATE ENROLLED ACT 429 – EFFECTIVE JULY 1, 2015

LAKE COUNTY ZONING – Amends IC 36-7-4-918.6 and IC 36-7-4-1101 - Allows Lake County to adopt the area planning law. Makes a provision regarding legislative body approval of special exceptions, special uses, and use variances apply to a city or town in Lake County (instead of Lake County).

### PUBLIC LAW 13 - HOUSE ENROLLED ACT 1017 - VARIOUS EFFECTIVE DATES

MOTOR VEHICLE MATTERS - Amends IC 9-13-2 and IC 9-20-4 – Defines: "commercial motor vehicle", "gross combination weight rating", "gross combination weight", and "gross vehicle weight rating," and "gross vehicle weight" for purposes of commercial motor vehicles. Provides for an exception relating to overweight vehicles for certain vehicles transporting logs, wood chips, bark, and sawdust. Amends the definition of "farm tractor."

### PUBLIC LAW 18 - HOUSE ENROLLED ACT 1101 - EFFECTIVE APRIL 15, 2015

BROADBAND READY COMMUNITIES DEVELOPMENT CENTER - Adds IC 5-28-28.5 Establishes the broadband ready communities development center (Center) within the Indiana economic development corporation to facilitate certain communications projects. Provides that the Center may designate a unit of local government as a broadband ready community if the unit establishes a procedure to review applications and issue permits for the communications projects.

2015 LAWS AFFECTING CITIES AND TOWNS

**PUBLIC LAW 20 - HOUSE ENROLLED ACT 1164 - EFFECTIVE JULY 1, 2015**

**NORTHWEST INDIANA REGIONAL PLANNING COMMISSION** - Amends IC 36-7-7.6-9  
Changes references of the 2000 decennial census to the most recent federal decennial census in determining the weighted vote of a member of the Northwestern Indiana Regional Planning Commission.

**PUBLIC LAW 23 - HOUSE ENROLLED ACT 1216 - EFFECTIVE JULY 1, 2015**

**MISSING CHILDREN AND TRAFFICKED CHILDREN** - Amends IC 5-2-17-7 and IC 35-42-3.5-4  
Requires a law enforcement agency to provide an informational pamphlet prepared and distributed by the State Police to a person making a report of a missing child at the time the person makes the report. Requires a law enforcement agency to immediately contact the department of child services if the law enforcement agency detains an alleged victim of trafficking who is less than 18 years of age.

**PUBLIC LAW 25 - HOUSE ENROLLED ACT 1283 - EFFECTIVE APRIL 15, 2015**

**STANDARD DEDUCTION ELIGIBILITY** - Amends IC 6-1.1-12-37 - Specifies that, to be eligible for a homestead deduction for property that an individual is buying under contract, the contract must obligate the owner to convey title to the individual upon completion of all of the individual's contract obligations.

**PUBLIC LAW 26 - HOUSE ENROLLED ACT 1362 - EFFECTIVE JULY 1, 2015**

**LICENSE PLATE LIFE CYCLE** - Amends IC 9-18-2-47 - Provides that the cycle for issuance and replacement of certain license plates is not less than five years and not more than 10 years.

**PUBLIC LAW 29 - SENATE ENROLLED ACT 35 – EFFECTIVE JULY 1, 2015**

**SPEED LIMITS IN SCHOOL ZONES** – Amends IC 9-21-5-6 - Provides that a city or town may establish a speed limit of not less than 20 miles per hour on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city or town. Removes outdated language.

**PUBLIC LAW 30 - SENATE ENROLLED ACT 216 – EFFECTIVE JULY 1, 2015**

**ST. JOSEPH RIVER BASIN COMMISSION** – Amends IC 5-14-1.5-3.6, Adds IC 14-30-3-15.5  
Allows members of the St. Joseph River Basin Commission (Commission) and the Commission's executive board that participate in a meeting by electronic means of communication to be counted for purposes of a quorum and to vote. Requires the following for an electronic meeting to take place:  
1. At least 1/3 of the members must be physically present at the meeting location.  
2. All votes must be taken by roll call vote.  
Allows the commission to adopt a policy to govern participation in electronic meetings.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 31 - SENATE ENROLLED ACT 309 – EFFECTIVE APRIL 17, 2015**

**ELECTRICITY SUPPLIERS' SERVICE AREAS** - Amends IC 8-1-2.3-6 - Provides that after May 19, 2015, a municipality that:

1. owns and operates an electric utility; and
2. annexes an area beyond the assigned service area of its municipally owned electric utility; may not petition the Indiana Utility Regulatory Commission (IURC) to change the assigned service area of the municipally owned electric utility to include the annexed area according to certain procedures permitted under current law.

Provides that the prohibition does not affect a petition that is:

1. filed with the IURC before May 20, 2015, according to the procedures permitted under current law; and
2. pending before the commission on May 20, 2015.

**PUBLIC LAW 34 - SENATE ENROLLED ACT 489 – EFFECTIVE JULY 1, 2015**

**STATE BOARD OF ACCOUNTS ISSUES** – Adds IC 5-11-1-28.2, Adds IC 5-11-1-29 - Provides that the State Board of Accounts has access to any periodic statement of condition filed by a depository with the Treasurer of State. Provides that a vendor upon request shall allow the State Board of Accounts to access all software and records of computer services that a vendor has supplied to a political subdivision. Defines a vendor as a person who supplies electronic goods, software, or technological services (including computer services) to a political subdivision.

**PUBLIC LAW 40 - HOUSE ENROLLED ACT 1182 - EFFECTIVE JULY 1, 2015**

**FIRE TRAINING ACADEMY** - Amends IC 22-12 and IC 22-14 - Increases the board of firefighting personnel standards and education from 11 to 13 members. Allows the division of fire and building safety (division) of the Indiana Department of Homeland Security (IDHS) to establish a fire and public safety academy training system to create and conduct programs to train public safety personnel. Allows the division to develop the programs in cooperation with certain organizations and any other public safety agency of the state or political subdivision.

**PUBLIC LAW 41 - SENATE ENROLLED ACT 2 – EFFECTIVE JULY 1, 2015**

**SERVICE OF PROCESS** – Amends IC 33-32-2-10 - Specifies that "registered or certified mail" includes any means of delivery that provides a return receipt. Provides that the cost of service to not more than two parties may be paid from court fees. Requires a person who requests a circuit court clerk to send an additional mailing by registered or certified mail to provide:

1. an addressed envelope with postage prepaid;
2. the United States Postal Service or other forms for registered or certified mail; and
3. the United States Postal Service fee or other fee for service by registered or certified mail.

**PUBLIC LAW 44 - SENATE ENROLLED ACT 80 – EFFECTIVE APRIL 23, 2015**

**TAXATION OF INTERNET ACCESS** – Adds IC 6-10 - Provides that neither the state nor a political subdivision may impose, assess, collect, or attempt to collect a tax on Internet access or the use of Internet access.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 45 - SENATE ENROLLED ACT 177 – EFFECTIVE APRIL 23, 2015**

**WATER AND WASTEWATER INFRASTRUCTURE COSTS** – Amends IC 8-1-31-13 - Amends the law on distribution system improvement charges to allow the Indiana Utility Regulatory Commission (IURC) to approve the petition of a public utility providing water or wastewater service for an adjustment of the public utility's basic rates and charges to provide for recovery of infrastructure improvement costs if the total adjustment revenues produced by approving the petition would not exceed 10% of the public utility's base revenue level approved by the IURC in the public utility's most recent general rate proceeding.

**PUBLIC LAW 52 - SENATE ENROLLED ACT 394 – EFFECTIVE JULY 1, 2015**

**REPORTING OF GOVERNMENT MALFEASANCE** – Amends IC 5-11-1-9.5 - Provides for confidentiality and relief for an individual who reports certain suspected violations of law by local public officers.

**PUBLIC LAW 57 - HOUSE ENROLLED ACT 1335 - EFFECTIVE JULY 1, 2015**

**REMOVAL OF PUBLIC OFFICERS** - Amends IC 5-8-1-38 - Changes the definition of “public officer” as follows: “Public officer” means either of the following:

- (A) An individual who holds an elected office (as defined in IC 3-5-2-17), other than a federal office.
- (B) An individual who holds an appointed office of the state or a political subdivision.  
(as defined in IC 36-1-2-13).

**PUBLIC LAW 59 - HOUSE ENROLLED ACT 1454 - EFFECTIVE JULY 1, 2015**

**AUTO-INJECTABLE EPINEPHRINE** - Adds IC 16-18-2-115.5 - Allows a health care provider to prescribe auto-injectable epinephrine to a governmental entity. Sets requirements for certain individuals employed by an entity to fill, store, and administer auto-injectable epinephrine. Provides civil immunity for:

- 1. a certain entity's employees in the administration of auto-injectable epinephrine; and
- 2. health care providers in the prescribing of auto-injectable epinephrine and in the training of employees in the administration of auto-injectable epinephrine.

**PUBLIC LAW 62 - HOUSE ENROLLED ACT 1080 - EFFECTIVE JULY 1, 2015**

**EMS PROVIDER DEATH BENEFIT** - Amends IC 5-10-10 - Provides a public safety officer special death benefit to an emergency medical services provider who, after June 30, 2015, dies as a direct result of personal injury or illness resulting from the provider's performance of duties for a political subdivision if the provider's employer purchases coverage for all eligible emergency medical services providers of the employer. Provides that the cost of the coverage is \$100 per year and that an employer may purchase the coverage by making quarterly payments on dates prescribed by the board of trustees of the Indiana Public Retirement System.

**PUBLIC LAW 65 - HOUSE ENROLLED ACT 1165 - EFFECTIVE JANUARY 1, 2015**

**RENTAL REGISTRATION AND INSPECTION PROGRAMS** - Amends IC 36-1-20-1.2 - Exempts programs that apply only to rooming houses and hotels from provisions regulating local government rental registration or inspection programs

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 68 - HOUSE ENROLLED ACT 1505 - EFFECTIVE JULY 1, 2015****SALE OF NON SURPLUS MUNICIPAL WATER OR WASTEWATER UTILITY PROPERTY**

Amends IC 8-1.5-2 concerning procedures for the sale or disposal of non-surplus municipally owned utility property.

**PUBLIC LAW 82 - SENATE ENROLLED ACT 383- EFFECTIVE APRIL 29, 2015**

**AUTOCYCLES AND MOTORCYCLES** – Adds IC 9-13-2-6.1, Amends IC 9-13-2-108, IC 9-19-7-1, IC 9-19-7-2, IC 9-21-3-7, IC 9-21-10-3, IC 9-21-10-4, IC 9-21-10-6, IC 9-21-10-7, Adds IC 9-24-8-0.5, Amends 9-24-10-4 - Defines autocycle for purposes of the motor vehicle code; provides that an autocycle is a motorcycle. Removes the requirement that the handlebars of a motorcycle or a motor driven cycle rise not higher than the shoulders of the driver when the driver is seated. Provides that the operator of or a passenger on an autocycle who is less than 18 years of age is not required to wear a helmet or protective face equipment. Regulates the operation of autocycles.

**PUBLIC LAW 85 – SENATE ENROLLED ACT 484 – EFFECTIVE JULY 1, 2015**

**FIRE AND EMERGENCY RESPONSE ISSUES** – Repeals IC 6-6-10, Amends IC 10-14-3-9, Repeals IC 10-14-3-10.6, IC 10-14-3-10.7, Adds IC 10-14-3-10.8, 10-14-3-19.5, Amends IC 13-25-1-6, IC 13-25-2-9, IC 13-25-2-10, Adds 13-25-2-10.4, IC 13-25-2-10.5, IC 13-25-2-10.6, IC 13-25-2-10.7, IC 13-25-2-19, and Amends IC 21-39-7-7 - Creates the intrastate mutual aid compact to complement existing mutual aid agreements. Allows the Indiana Department of Homeland Security (IDHS) to deploy a National Urban Search and Rescue Response System Task Force as a state resource during Indiana emergencies and disasters, in conformance with federal requirements, through an agreement with a political subdivision that is a sponsoring agency of a task force. Repeals the local emergency planning and right to know fund administered by the Department of State Revenue. Moves the statute concerning the local emergency planning and right to know fund (but continues to have the fund administered by the State Department of Revenue). Requires fees paid by facilities submitting tier II emergency and hazardous chemical inventories to be paid to the Indiana Emergency Response Commission for deposit in the local emergency planning and right to know fund.

**PUBLIC LAW 87 - SENATE ENROLLED ACT 567 – EFFECTIVE JANUARY 1, 2016**

**REDEVELOPMENT COMMISSIONS AND AUTHORITIES** – Amends IC 36-7-14-8, IC 36-7-14-13, IC 36-7-14-39, IC 36-7-14-48, IC 36-7-14-52, IC 36-7-14.5-9, IC 36-7-15.1-26, IC 36-7-15.1-35, IC 36-7-15.1-36.3, IC 36-7-15.1-53, IC 36-7-15.1-62 - Requires a Redevelopment Commission or Redevelopment Authority to hold an organizational meeting on a day that is not a Saturday, a Sunday, or a legal holiday and that is their first meeting day of the year. Provides that the fiscal officer of a Redevelopment Commission may disburse funds only after the disbursement is approved by the Redevelopment Commission. Allows a Redevelopment Commission to specify types of disbursements that the fiscal officer may make in advance of the commission's approval at its next regular meeting. Requires the treasurer of a Redevelopment Commission to report annually to the Redevelopment Commission before April 1 (rather than reporting to the fiscal body of the unit before July 1, under current law). Requires the treasurer of a Redevelopment Authority to report annually to the redevelopment authority before April 1 (rather than reporting to the fiscal body of the unit before July 1, under current law). Requires Redevelopment Commissions and Redevelopment Authorities to report annually to the unit's executive and fiscal body and the Department of Local Government Finance before April 15. Specifies that certain information currently reported annually by Redevelopment Commissions before August 1 shall instead be included with the April 15 report. Specifies information to be included in the annual report of a Redevelopment Authority.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 91 - SENATE ENROLLED ACT 474 – EFFECTIVE APRIL 30, 2015**

**ANALYSIS OF WATER UTILITY PLANNING AND NEEDS** - Requires the Indiana Finance Authority (Authority) to prepare an analysis of the planning and long range needs of:

1. the water utilities serving the 15 most populous cities in Indiana; and
2. five other water utilities selected by the authority, each of which serves fewer than 10,000 customers.

Authorizes the Authority to contract with professionals or with a state educational institution for the performance of some or all of the authority's duties relating to the analysis. Requires the Authority to complete the analysis and submit it to the legislative council not later than November 1, 2015. For calendar year 2015, relieves the Indiana Utility Regulatory Commission of the duty to submit an annual report concerning water utilities to the legislative council and the interim study committee on energy, utilities, and telecommunications.

**PUBLIC LAW 100 - HOUSE ENROLLED ACT 1242 - EFFECTIVE JULY 1, 2015**

**RESERVE OFFICER TRAINING** – Amends IC 36-8-3-20 to state:

“After June 30, 2015, a police reserve officer who has satisfactorily completed pre-basic training and has been appointed to a law enforcement department or agency on either a full-time or part-time basis is not eligible for continued employment unless the police reserve officer satisfactorily completes the mandatory in service training requirements established by rules adopted by the law enforcement training board (created by IC 5-2-1-3).”

Provides additional in-service training requirements.

**PUBLIC LAW 101 - HOUSE ENROLLED ACT 1300 - EFFECTIVE APRIL 30, 2015**

**BUILDING AND HOUSING LAWS** – Amends IC 22-13-2-5 - Specifies that an ordinance or other regulation adopted by a political subdivision that qualifies as a fire safety law or a building law:

1. must be submitted to the Fire Prevention and Building Safety Commission (Commission) for review within 30 days of adoption by the political subdivision; and
2. is not effective until the ordinance or regulation:
  - A. is approved by the commission; or
  - B. is approved automatically if the commission does not approve or deny the ordinance or regulation within four commission meetings.

Prohibits a county, municipality, or township from adopting an ordinance that requires or would have the effect of requiring a landlord to participate in:

1. a Section 8 program of the federal Housing Act of 1937; or
2. a similar program concerning housing

Provides a political subdivision may not require a license to install or maintain a low voltage thermostat of fifty volts or less.

**PUBLIC LAW 105 - HOUSE ENROLLED ACT 1508 - EFFECTIVE JULY 1, 2015**

**PERFORMANCE BONDS OF LAND DEVELOPERS** – Amends 36-7-4-709 - Contains provisions regarding an ordinance, rule, or policy of a local unit of government related to performance bonds of land developers.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 109 - SENATE ENROLLED ACT 199 – EFFECTIVE JULY 1, 2015**

**SUBSTANTIVE PROBLEMS IN THE INDIANA CODE** – Amends IC 33-35-1-3, IC 36-5-2-3, and IC 36-5-6-3 – Provides for certain elected officials and terms of office.

- Sec. 48** - Applies to a town that adopts an ordinance under IC 3-10-7-2.9. The term of office of:
1. a judge elected in the first election cycle after adoption of the ordinance is the term of office provided by the ordinance, not to exceed four (4) years; and
  2. the successors of the judge described in subdivision (1) is four (4) years.

**Sec. 60** - The term of office of a member of a legislative body subject to an ordinance described by IC 3-10-7-2.9 is:

1. the term of office provided by the ordinance, not to exceed four (4) years, for a member of the legislative body elected in the first election cycle after adoption of the ordinance; and
2. four (4) years for the successors of the member of a legislative body described in subdivision (1).

**Sec. 61** - The term of office of a clerk-treasurer subject to an ordinance described by IC 3-10-7-2.9 is:

1. the term of office provided by the ordinance, not to exceed four (4) years, for the clerk-treasurer elected in the first election cycle after adoption of the ordinance; and
2. four (4) years for the successors of the clerk-treasurer described in subdivision (1).

**PUBLIC LAW 111 – SENATE ENROLLED ACT 283 – EFFECTIVE JULY 1, 2015**

**AMORTIZATION OF UNFUNDED PENSION LIABILITIES** – Amends IC 2-3.5-4-9, IC 5-10.2-2-9, IC 5-10.4-2-4, IC 5-10.4-4-9, IC 5-10.5-4-2, IC 36-8-8-7, and IC 36-8-8-18 - Provides that the Board of the Indiana Public Retirement System (INPRS) may determine a term that does not exceed 30 years over which to amortize various unfunded accrued liabilities associated with the funds administered by INPRS.

**PUBLIC LAW 112 – SENATE ENROLLED ACT 312 – EFFECTIVE JULY 1, 2015**

**TANK REPORTING AND WATER THREAT MINIMIZATION** – Adds IC 13-11-2-0.6, IC 13-11-2-2.3, IC 13-11-2-48.3, IC 13-11-2-55, Amends IC 13-11-2-55.7, Adds IC 13-11-2-119.5, IC 13-11-2-177.3, Amends IC 13-11-2-192, Adds IC 13-18-5.5, IC 13-18-16-7.5, and Amends IC 13-18-16-8 Requires the owner or operator of an Above Ground Storage Tank (AST) that is designed to contain more than 660 gallons of liquid to report certain information about the AST to the Department of Environmental Management (Department) before January 1, 2016. Establishes certain exceptions from this reporting requirement. Requires the Environmental Rules Board to adopt rules concerning the reporting requirement. Requires a person who is responsible for operation of a public water system that uses surface water as a source of drinking water to develop a surface water quality threat minimization and response plan for the public water system and to submit the report to the Department. Requires the Environmental Rules Board to adopt rules concerning surface water quality threat minimization and response plans.

**PUBLIC LAW 114 - SENATE ENROLLED ACT 336 – EFFECTIVE JULY 1, 2015**

**LIBRARY BOARD APPOINTMENTS** - Amends IC 36-12-2-13 - Provides that if a library district located in one township and part of a municipality expands to include two additional townships that are located only within the municipality, the library board members shall continue to be appointed as they were before the expansion (by the municipality and by the township only partially located within the municipality).

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 120 - SENATE ENROLLED ACT 514 – EFFECTIVE JULY 1, 2015**

**VACANCY IN OFFICE OF CLERK-TREASURER** – Amends IC 3-13-9-3, IC 5-9-4-8, Adds IC 36-5-6-9 - Provides that if a town legislative body is unable to fill a vacancy in the office of town Clerk-Treasurer, a town legislative body member may serve ex officio as the town Clerk-Treasurer for the remainder of the Clerk-Treasurer's term. Provides that the town legislative body member may not receive additional compensation for serving as the ex officio town Clerk-Treasurer. Provides that the duties assumed by the town legislative body member are duties of the office of town legislative body member and do not constitute a second lucrative office. Allows the town legislative body to enter into an Interlocal Agreement with another town Clerk-Treasurer to assist the town legislative body member in performing the Clerk-Treasurer's duties for the remainder of the Clerk-Treasurer's term. Provides that if an Interlocal Agreement cannot be reached, the town legislative body may contract with a certified public accountant to assist the town legislative body member in performing the duties of the Clerk-Treasurer for the remainder of the term of the Clerk-Treasurer.

**PUBLIC LAW 121 - SENATE ENROLLED ACT 515 – EFFECTIVE JULY 1, 2015**

**ALCOHOLIC BEVERAGE PERMITS** – Adds IC 7.1-3-19-17, Amends IC 7.1-3-20-16 and IC 14-18-2-3 – Provides that if a local unit has adopted an ordinance requiring a formal written commitment as a condition of eligibility for an alcoholic beverage permit, as a condition of eligibility for a permit, the applicant must enter into a formal written commitment with the municipal legislative body regarding the character or type of business that will be conducted on the permit premises. The municipal legislative body must adopt an ordinance approving the formal written commitment. When an application for renewal of a permit is filed, the applicant shall forward a copy of the application to the municipal legislative body. The municipal legislative body shall receive notice of any filings, hearings, or other proceedings on the application for renewal from the applicant.

**PUBLIC LAW 122 - SENATE ENROLLED ACT 530 – EFFECTIVE JULY 1, 2015**

**PUBLIC NOTICE IN A NEWSPAPERS** – Amends IC 5-3-1-0.4 and IC 5-3-1-2 - Adds a provision requiring a certain average circulation to the definition of "newspaper" for purposes of the statute concerning notice publication. Removes a duplicative provision from the publication statute that prescribes a publication procedure if another specific publication procedure does not apply to an event. Removes from the publication statute two provisions that have expired.

**PUBLIC LAW 127 - HOUSE ENROLLED ACT 1109 - EFFECTIVE JULY 1, 2015**

**PAYMENT OF MONTHLY PENSION BENEFITS** - Repeals IC 5-10.2-4-1.2 and Adds IC 5-10.5-4-4 - Provides that members and beneficiaries of any public pension fund administered by the Indiana Public Retirement System (INPRS) may receive monthly benefits only by direct deposit or another method approved by the board of trustees of INPRS.

**PUBLIC LAW 130 - HOUSE ENROLLED ACT 1150 - VARIOUS EFFECTIVE DATES**

**POLICE AND FIREFIGHTER RETIREMENT MATTERS** - Amends IC 36-8-8 - Makes changes to the 1977 police officers' and firefighters' pension and disability fund to include police officers in several sections of the statute that may logically apply to police officers as well as firefighters.



**2015 LAWS AFFECTING CITIES AND TOWNS**

**PUBLIC LAW 139 - HOUSE ENROLLED ACT 1281 – EFFECTIVE JULY 1, 2015**

**LOCAL GOVERNMENT INVESTMENTS** – Amends IC 5-13-6-1 to state that a city or town is not required to deposit funds on the business day following receipt if the funds on hand do not exceed five hundred dollars (\$500). Adds IC 5-13-9.3 concerning the investment of proceeds from the sale of a capital asset in excess of fifty million dollars.

**PUBLIC LAW 142 - HOUSE ENROLLED ACT 1302 - EFFECTIVE JULY 1, 2015**

**EXPUNGEMENT** - Amends IC 35-38-9 - Concerns the expungement of an arrest, criminal charge, or juvenile delinquency allegation that did not lead to a conviction or juvenile delinquency adjudication.

**PUBLIC LAW 143 - HOUSE ENROLLED ACT 1307 - EFFECTIVE JULY 1, 2015**

**LAKE COUNTY CITY AND TOWN COURT JURISDICTION** – Amends IC 33-35-2-5 and increases the maximum civil jurisdiction from an amount in controversy of \$3,000 to an amount in controversy of \$6,000 for the:

1. East Chicago, Gary, Hammond, Hobart, and Crown Point city courts; and
2. Merrillville town court.

Amends IC 33-37-11-3 and specifies that a "clerk serving the county" includes the clerk of a city or town court for purpose of supplementing jury fees from the local jury pay fund.

**PUBLIC LAW 144 - HOUSE ENROLLED ACT 1311 - EFFECTIVE JULY 1, 2015**

**ALCOHOLIC BEVERAGE ISSUES** – Repeals IC 7.1-3-9-7 - Which required the clerk of a city or town to certify and mail to the commission an ordinance regulating a liquor retailer.

**PUBLIC LAW 145 - HOUSE ENROLLED ACT 1318 – VARIOUS EFFECTIVE DATES**

**COMMUNICATION SERVICES** – Amends IC 8-1-2 and adds IC 8-1-32.3 covering the application process for new wireless tower construction, collocation requests, and for small cell networks. Addresses fall zone and setback requirements.

**PUBLIC LAW 147 - HOUSE ENROLLED ACT 1350 - EFFECTIVE JULY 1, 2015**

**ENVIRONMENTAL VARIANCES AND OTHER MATTERS** - Amends IC 13 concerning environmental rule variances; certification examinations for certain water treatment plant operators and water distribution system operators; solid waste disposal fees; solid waste management fees; recycling activities; wetland activity.

**PUBLIC LAW 148 - HOUSE ENROLLED ACT 1388 – VARIOUS EFFECTIVE DATES**

**PROPERTY TAX MATTERS** – Amends IC 6-1.1-17-22 in determining the amount of the levy for a debt service fund for a budget year, the maximum amount allowable operating balance for each debt include in the debt service fund. Makes other changes concerning personal property tax returns, standard deductions, and common area exemptions.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 149 - HOUSE ENROLLED ACT 1393 - VARIOUS EFFECTIVE DATES**

**VARIOUS MOTOR VEHICLE MATTERS** - Amends IC 6 and IC 9 concerning motor vehicle matters including various title, registration, driver's license, and commercial driver's license requirements.

**PUBLIC LAW 150 - HOUSE ENROLLED ACT 1394 - EFFECTIVE JULY 1, 2015**

**SUPERVISION OF PROBATIONARY DRIVERS** - Amends IC 9-24 – Provides that an operator's license issued to an individual who is less than 21 years of age is a probationary license and amends other provisions concerning probationary drivers.

**PUBLIC LAW 157 - HOUSE ENROLLED ACT 1475 - EFFECTIVE JULY 1, 2015**

**STATEWIDE 911 SYSTEM** – Adds IC 6-1.1-18.5-23 - Authorizes fiscal bodies of a county and another political subdivision that are parties to a contract under which the county has assumed the responsibility of operating a PSAP to jointly petition DLGF to adjust the maximum property tax levies of the respective units. Adds IC 36-8-16.7-38.5 which permits the fiscal body of a political subdivision operating a PSAP to adopt an ordinance authorizing payment in advance of certain costs. Makes adjustments regarding Public Safety LOIT distributions and the State 911 fee.

**PUBLIC LAW 169 - SENATE ENROLLED ACT 466 – EFFECTIVE VARIOUS DATES**

**VARIOUS ELECTION MATTERS** – Provides that the election division, rather than the Indiana Election Commission, approves a uniform set of election and registration forms for use throughout Indiana. Provides that a person who is physically present in a precinct for a temporary purpose does not gain residency in the precinct. Permits voter conversations and communications, including the use of cellular telephones and other electronic devices, in the polls as long as loud and disruptive conversations and electioneering do not occur. Prohibits a voter from taking a digital image or photograph of the voter's ballot except to document and report to a precinct election officer, county election board, or the division a problem with the functioning of the voting system. Prohibits distributing or sharing a digital image or photograph of a voter's ballot using social media or other means. Eliminates the rule that a vote cast for a deceased candidate in a primary election is void, and provides that if a deceased candidate receives the most votes in a primary election, a candidate vacancy occurs that the candidate's party may fill. Requires the State Recount Commission to conduct a recount resulting from a statewide public question. Provides that the statute prohibiting the use of an automatic dialing-announcing device does not apply to messages to voters from a County Election Board, a County Board of Elections and Registration, or a County Voter Registration Office. Requires certain information to be filed with the election division concerning judicial elections in Allen County, Monroe County, and Vanderburgh County.

**PUBLIC LAW 171 - SENATE ENROLLED ACT 528 – EFFECTIVE JULY 1, 2015**

**PRESERVATION OF PUBLIC RECORDS** – Amends IC 5-4-1-18, IC 5-15-1-1, IC 5-15-5.1-1, IC 5-15-5.1-3, IC 5-15-5.1-5, IC 5-15-5.1-6, IC 5-15-5.1-10, IC 5-15-5.1-12, IC 5-15-5.1-13, IC 5-15-5.1-14, IC 5-15-5.1-15, IC 5-15-5.1-17, IC 5-15-6-1, IC 5-15-6-1.5, IC 5-15-6-3, and IC 5-15-6-4 - Changes the name of the State Commission on Public Records to the Indiana Archives and Records Administration (Administration). Specifies that the Administration administers the law regarding preservation of public records for political subdivisions. Requires a County Commission of Public Records to notify the Administration within 30 days after selecting a chairman or secretary of the County Commission. Requires a state agency to submit a recommended retention schedule to the Administration (instead of to the Oversight Committee on Public Records). Provides that a political subdivision has the duties and responsibilities of a state agency under the law regarding preservation of public records. Requires the Administration, with the approval of the Oversight Committee on Public Records, to advise the Office of Technology with respect to records management and archival principles as applicable to the purchase of electronic content and information management systems.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 173 - HOUSE ENROLLED ACT 1110 - VARIOUS EFFECTIVE DATES**

**MAGISTRATES AND COURTS** - Amends IC 3-8-1-1.5 - Requires the judge of a city or town court to be an attorney in good standing admitted to practice law in Indiana. Allows a currently serving city or town court judge who is not an attorney to continue to serve as a judge until he or she leaves office.

**PUBLIC LAW 174 - HOUSE ENROLLED ACT 1236 - EFFECTIVE JULY 1, 2015**

**POLITICAL ACTIVITY ON HOMEOWNERS ASSOCIATION PROPERTY** - Amends 32-21-13-7 Specifies that this section regarding political activity on homeowners association property does not apply if access to the property from outside is controlled and the common areas, including roads and sidewalks, are privately owned and maintained.

**PUBLIC LAW 178 - HOUSE ENROLLED ACT 1403 - VARIOUS EFFECTIVE DATES**

**REGIONAL CITIES** - Adds IC 5-28-37 - Establishes the Indiana regional city fund within the state treasury to provide grants or loans for economic development to a regional development authority. Provides that third class cities and towns may become members of a regional development authority.

**PUBLIC LAW 179 - HOUSE ENROLLED ACT 1006 - EFFECTIVE JULY 1, 2015**

**CRIMINAL JUSTICE FUNDING** - Amends IC 33-23-16-2 - Allows a court wishing to establish a problem solving court, including a veteran's court, to apply to the judicial center for financial assistance. The judicial center may provide financial aid to establish the court from funds appropriated to the judicial center for that purpose.

**PUBLIC LAW 181 - HOUSE ENROLLED ACT 1104 - EFFECTIVE JULY 1, 2015**

**FINANCIAL EXAMINATIONS AND THE STATE BOARD OF ACCOUNTS** - Amends IC 5-11-1-25 - Allows the State Board of Accounts to conduct examinations of "audited entities" at the times determined by the state board of accounts, but not less than once every four years, using risk based examination criteria. The "audited entity" must notify the State Board of Accounts within a certain time frame if an annual audit is required due to the receipt of federal assistance, continuing disclosure requirements, or as a condition of public bond issuance.

Adds IC 5-11-1-30 - Allows an audited entity to request an examination be conducted in accordance with Generally Accepted Accounting Principles.

Amends IC 5-11-5-1 - Provides that all information discussed and materials presented in the State Board of Accounts "exit conference" are confidential and may not be disclosed until the earliest of certain occurrences; contains other provisions regarding an "exit conference"

Adds IC 36-1-8-8.5 - Provides that an executive or fiscal officer of a unit may establish a fraud hotline telephone number maintained by the unit that the public may use to report suspected fraudulent activity concerning officers or employees of the unit, including misuse of public funds.

**PUBLIC LAW 182 - HOUSE ENROLLED ACT 1159 - EFFECTIVE JULY 1, 2015**

**PROTECTIVE ORDERS AND EMPLOYMENT** - Provides that an employer may not terminate an employee based on:

1. the filing, by the employee, of a petition for a protective order; or
2. the actions of an individual against whom the employee has filed a protective order.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 183 - HOUSE ENROLLED ACT 1186 – EFFECTIVE JULY 1, 2015**

**UNEMPLOYMENT INSURANCE** – Amends IC 22-4-10-4.5 concerning the unemployment insurance surcharge. Amends IC 22-4-11-2 concerning the contribution rate. Amends IC 22-4-13-1 Requires the Department of Workforce Development (DWD) to establish an unemployment benefit overpayment under certain circumstances and within a certain time frame. Adds IC 22-4-13.3 concerning administrative withholding for benefit overpayments makes other amendments.

**PUBLIC LAW 184 - HOUSE ENROLLED ACT 1264 – VARIOUS EFFECTIVE DATES**

**POLITICAL SUBDIVISION INTERNAL CONTROLS** – Amends sections of IC 3-5-9 - Allows a volunteer firefighter to hold an elected office of any unit which receives fire protection services from the department. Adds IC 36-1-23 which states that a member of the fiscal body of a city or town may not participate in a vote on the adoption of the unit's budget and tax levies if the member is a volunteer firefighter in a department which provides fire protection services to the unit. If a majority of the members are precluded from voting, the most recent annual appropriations are continued; the executive may petition the county fiscal body for an increase in the city or town budget or for additional appropriations.

Amends IC 5-11-1-4 – Certain municipalities may not issue bonds unless the annual financial report has been filed with the state examiner for the preceding fiscal year in accordance with Generally Accepted Accounting Principles (GAAP). Requirement is effective in 2016 for municipalities with a population greater than 250,000; in 2017 for population greater than 175,000; and in 2020 for a population greater than 75,000. Upon request, the state examiner may waive the requirement.

Amends IC 5-11-1-27 – Requires SBOA to define the acceptable minimum level of internal control standards and procedures for political subdivisions, including Control Environment, Risk Assessment, Control Activities, Information and Communication, and Monitoring. Not later than November 1, 2015, the SBOA shall develop or designate approved personnel training materials

Amends IC 5-11-1-27 - As of June 30, 2016, requires a political subdivision to adopt and receive training on specific internal control standards and procedures. Requires fiscal officer to certify in writing that standards and procedures have been adopted and training has been received by personnel; such certification shall be filed electronically with the state board of accounts at the same time the annual financial report is filed. Noncompliance will result in a report comment and, if not corrected within specified time, information will be forwarded to the Department of Local Government Finance (DLGF). DLGF may not approve the budget or supplemental appropriation of a taxing unit if it receives information that the violation has not been corrected within the prescribed period.

Amends IC 5-11-1-4(j) - Provides that all erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the SBOA. For all material variances, losses, shortages, or thefts, the SBOA shall:

1. determine the amount involved and report to the appropriate officials, including law enforcement
2. determine the internal control weakness that contributed to or caused the condition; and
3. make written recommendations to the council and fiscal officer addressing the method of correcting the condition and the necessary internal control policies and procedures to prevent a recurrence of the condition.

The council and clerk treasurer shall immediately implement the policies and procedures recommended.

Amends IC 5-11-1-27 - Requires a public officer who has actual knowledge of or reasonable cause to believe that there has been a misappropriation of public funds or assets of the public office to immediately send written notice to the state board of accounts and local prosecuting attorney.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 185 - HOUSE ENROLLED ACT 1269 - VARIOUS EFFECTIVE DATES**

**HEALTH MATTERS** - Adds IC 12-21-5-4 - Requires the (d) The Division of Mental Health and Addiction shall make the mental health first aid training program available to... emergency medical service providers, law enforcement officers.

**PUBLIC LAW 187 - HOUSE ENROLLED ACT 1304 - VARIOUS EFFECTIVE DATES**

**VARIOUS CRIMINAL LAW ISSUES** - Amends IC 12-23-14-16 - Specifies the fee for a service if a (city) court established alcohol and drug services program may be collected by an alcohol and drug services program or the clerk of the court. The fees must be transferred within thirty days after the fees are collected for deposit in the appropriate user fee fund established under IC 33-37-8. Makes other amendments and additions concerning criminal law matters.

**PUBLIC LAW 188 - HOUSE ENROLLED ACT 1305 - EFFECTIVE JULY 1, 2015**

**VARIOUS MOTOR VEHICLE ISSUES** - Amends IC 9 concerning various motor vehicle issues including penalties, suspensions, offenses; and specialized driving privileges for commercial drivers.

**PUBLIC LAW 189 - HOUSE ENROLLED ACT 1319 - EFFECTIVE JULY 1, 2015**

**ACQUISITION OF DISTRESSED UTILITIES** - Adds IC 8-1-30.3 - provides that a public water or wastewater utility that acquires utility property of a "distressed utility" may petition the utility regulatory commission to include the "cost differential" associated with the acquisition as part of its rate base. Applies if at least one utility company is under the jurisdiction of the commission.

**PUBLIC LAW 191- HOUSE ENROLLED ACT 1371 - EFFECTIVE JULY 1, 2015**

**PUBLIC OFFICIALS, LIENS, AND RESTRICTED ADDRESSES** - Amends various provisions in IC 32 concerning common law liens. For purposes of IC 32-28-13 creates definition of a "public employee" and includes former office holders in the definition of "public official."

Amends IC 36-1-8.5 - Adds "public official" to the definition of "covered person," who may submit a written request to the municipality to restrict access to their home addresses by means of a public property data base web site. Requires a municipality that operates a public property data base web site to establish a process to prevent a member of the general public from gaining access to these home addresses by means of the public property data base web site. Specifies procedures and allows the unit to charge a covered person a reasonable fee to make a written request.

**PUBLIC LAW 192 - HOUSE ENROLLED ACT 1398 - EFFECTIVE JULY 1, 2015**

**NORTHWEST INDIANA REGIONAL DEVELOPMENT AUTHORITY** - Amends IC 4-33-12-6 Provides for direct distributions of riverboat admissions taxes and supplemental distributions to the Northwest Indiana Regional Development Authority (RDA) to satisfy the funding obligations of Lake County, East Chicago, Gary, and Hammond to annually transfer money to the RDA. Amends IC 36-7.5-4-2 Contains provisions in the event of a shortfall in distributions to the RDA. Amends other provisions of IC 36-7.5.

**PUBLIC LAW 193 - HOUSE ENROLLED ACT 1469 - EFFECTIVE JULY 1, 2015**

**WAGE PAYMENT AND WAGE ASSIGNMENT** - Amends IC 22-2-5 - Specifies costs, fees, and damages available to an employee if wages are not paid in accordance with IC 22-2-5-1. Amends IC 22-2-6-2 provides additional wage assignment purposes and the amount of interest which may be charged on amounts loaned or advanced.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 203 - SENATE ENROLLED ACT 251 – EFFECTIVE JULY 1, 2015****CONTROLLED PROJECTS**

- Adds IC 6-1.1-20-0.7, Amends IC 6-1.1-20-3.1 and IC 6-1.1-20-3.6  
Provides that for purposes of determining whether a capital project by a political subdivision located in Hamilton County, other than a school corporation, is a controlled project for purposes of the petition and remonstrance process or the referendum process, the cost of the project does not include any expenditures that will be paid from money that has accumulated or has been deposited by the political subdivision in a fund. Provides that a person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the Department of Local Government Finance (DLGF) objecting that the political subdivision has artificially divided a capital project into multiple capital projects in order to avoid the petition and remonstrance requirements or the referendum requirements. Requires the DLGF to make a final determination not later than 30 days after receiving the petition.

**PUBLIC LAW 209 - SENATE ENROLLED ACT 464 – EFFECTIVE JULY 1, 2015****MENTAL HEALTH ISSUES**

– Adds IC 33-23-16-24.5 and Amends IC 33-39-1-8 – Sec. 21  
Provides that a problem solving court may require an individual participating in a problem solving court to receive treatment for mental health issues. Sec. 22 – provides for treatment of mental health issues.

**PUBLIC LAW 212 - SENATE ENROLLED ACT 516 – EFFECTIVE JULY 1, 2015****UTILITY INFRASTRUCTURE IMPROVEMENTS**

– Amends IC 8-1-31-1.3, IC 8-1-31-5, Adds IC 8-1-31-5.2, IC 8-1-31-5.5, IC 8-1-31-5.9, Amends IC 8-1-31-6, Repeals IC 8-1-31-7, Adds IC 8-1-31-8, IC 8-1-31-9, IC 8-1-31-10, Adds IC 8-1-31-11.5, IC 8-1-31-11.6, Amends IC 8-1-31-13, IC 8-1-31-14, and IC 5-1-31-15 - Amends the law on water and wastewater utility distribution system improvement charges so that the law applies to municipally owned utilities and not-for-profit utilities as well as to public utilities. Allows a municipally owned utility or not-for-profit utility that is under the jurisdiction of the Indiana Utility Regulatory Commission (Commission) for the approval of rates and charges to petition the Commission for the adjustment of its basic rates and charges to provide for the recovery of infrastructure improvement costs. Provides that "infrastructure improvement costs," for a municipally owned utility, means debt service and depreciation expenses associated with eligible infrastructure improvements and, for a not-for-profit utility, means debt service associated with eligible infrastructure improvements. Defines "eligible infrastructure improvements" for purposes of municipally owned and not-for-profit utilities. Allows the Commission to consider certain factors in determining the amount of infrastructure improvement costs that a not-for-profit utility or a municipally owned utility will be allowed to recover.

**PUBLIC LAW 213 - HOUSE ENROLLED ACT 1001 – VARIOUS EFFECTIVE DATES****STATE BIENNIAL BUDGET**

- SECTION 62 EFFECTIVE JULY 1, 2015 - Amends IC 5-11-4-3 changes the State Board of Accounts daily rate to \$175. SECTION 74 EFFECTIVE UPON PASSAGE Adds IC 5-28-36-7 - Allows city or town in which a motorsports enterprise is located to apply for a grant from the Economic Development Corporation. SECTION 257 EFFECTIVE JULY 1, 2015 - Amends IC 33-37-5-20 to change the document storage fee to five dollars after June 30, 2015 and before July 1, 2017 and back to two dollars after June 30, 2017. For a county not operating under the state's automated judicial system, three dollars of the document storage fee collected after June 30, 2015 and before July 1, 2017 may be used for purposes of the county's case management system. SECTION 263 EFFECTIVE JULY 1, 2015 - Amends HEA 1019-2015 amendment to IC 36-1-12-3 and sets the threshold for a unit performing a public work by means of its own workforce to \$250,000.

**PUBLIC LAW 216 - HOUSE ENROLLED ACT 1139 - VARIOUS EFFECTIVE DATES****VARIOUS ELECTION LAW MATTERS**

- Amends IC 3-8-2-19 – Exempts certain statutorily protected residence addresses from the requirement to publish the address of each primary election candidate. Amends IC 3-14-1-17 - Repeals a provision that makes it a crime to knowingly or intentionally display campaign materials on a government employer's real property (SEA 466-2015). Amends other provisions in IC 3 concerning elections. Amends IC 36-5-1-8 concerning a special election requested in a petition for incorporation.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 220 - HOUSE ENROLLED ACT 1635 - EFFECTIVE JULY 1, 2015**

**DUAL LANGUAGE IMMERSION PILOT PROGRAM** – Amends IC 20-23-6-9 - Concerning the transfer of consolidated school property back to a city or town if it is no longer needed for school purposes.

**PUBLIC LAW 228 - SENATE ENROLLED ACT 330 – EFFECTIVE JANUARY 1, 2015**

**ANNEXATION** - Amends IC 8-1-34-23, IC 13-18-15-2, IC 36-4-3-1.5, Adds IC 36-4-3-1.7, Amends IC 36-4-3-2.2, IC 36-4-3-4.1, Adds IC 36-4-3-4.2, IC 36-4-3-4.3, Amends IC 36-4-3-5, IC 36-4-3-5.1, IC 36-4-3-7.1, IC 36-4-3-11, Adds IC 36-4-3-11.1, IC 36-4-3-11.2, IC 36-4-3-11.3, IC 36-4-3-11.4, IC 36-4-3-11.6, IC 36-4-3-11.7, Amends IC 36-4-3-13, IC 36-4-3-14, IC 36-4-3-15, IC 36-4-3-22, IC 36-9-22-2, and IC 36-9-25-14 – Provides the following for annexations for which an annexation ordinance is adopted after June 30, 2015: Eliminates a separate remonstrance for property that consists of not more than 100 parcels and is 80% contiguous to a municipality. Requires a municipality to conduct an outreach program to inform citizens about a proposed annexation. Requires a municipality to provide locations where remonstrance petitions may be signed. Allows remonstrators that prevail at a hearing on a remonstrance to recover reasonable attorney's fees from the municipality that are incurred in litigating an annexation, including appeal costs, not to exceed \$37,500. Specifies the circumstances under which a public highway or rights-of-way of a public highway may be annexed. Provides for municipal reimbursements to counties related to infrastructure owned by the county. Provides that remonstrance waivers executed after June 30, 2015, expire not later than 15 years after the date the waiver was executed. Requires a municipality with respect to a deed recorded after June 30, 2015, to provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property. Requires a municipality to exempt property from property tax liability for municipal purposes while the property is assessed as agricultural land under the real property assessment rules and guidelines of the department of local government finance. Requires a municipality to give notice of an annexation hearing to a landowner whose agricultural property is exempted from property taxes for municipal purposes. Specifies the requirements for completing a remonstrance petition. Provides for an annexation for which an ordinance is adopted after December 31, 2016, that an annexation of land connecting an economic development project to a municipality may proceed to a remonstrance hearing even if the signature threshold is met for voiding the annexation ordinance. Removes an annexation procedure applicable only to a municipality in St. Joseph County. Requires a municipality to obtain the consent of the county executive before annexing property owned by a county redevelopment commission. Provides that fiscal plans prepared after June 30, 2015:

1. must be similar to plans required for local government mergers and reorganizations; and
2. may not be amended after a remonstrance petition is filed, unless the amendment is consented to by at least 65% of the remonstrators.

Requires a municipality to notify video service providers of the addition of property to the municipality as a result of an annexation.

**PUBLIC LAW 230 - SENATE ENROLLED ACT 393 – EFFECTIVE JULY 1, 2015**

**PUBLIC OFFICIAL SURETY BONDS** – Amends IC 5-4-1-5.1 and IC 5-4-1-18 - Requires copies of political subdivision personnel bonds be filed with the County Recorder and fiscal officer of the political subdivision. The fiscal officer shall file a copy of the bond with the State Board of Accounts. Requires the State Board of Accounts to maintain a database of received bonds. Requires certain public employees and contractors that have access to public funds to file a bond. Specifies guidelines for fixing the amount of certain bonds. Provides for purchase of a blanket bond that includes aggregate coverage.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 231 - SENATE ENROLLED ACT 463 – EFFECTIVE JULY 1, 2015**

**CIGARETTES AND TOBACCO SALES** – Amends IC 7.1-5-12-5 and others. Provides for the sale and manufacturing of e-cigarettes. Permits smoking in certain cigar stores and bars. Removes the requirement that members of a club or fraternal club must vote to allow smoking on the premises. Provides that the club or fraternal club may allow guests in the designated smoking room or area only when accompanied by a bona fide member. Specifies that a condition in allowing smoking in a specialty cigar store is that the store does not sell any food or beverage that would require a certified food handler. Removes a requirement that a specialty cigar store not sell food and beverages in a manner that would require consumption on the premises and that there not be an area set aside for food consumption.

**PUBLIC LAW 237 – SENATE ENROLLED ACT 532 – EFFECTIVE JULY 1, 2015**

**HUMAN TRAFFICKING ETC.** – Adds IC 5-2-6-25, IC 7.1-3-23-20.5, IC 10-11-2-34.2, Amends IC 32-30-7-24, and Adds 32-30-7-24.5 - Provides that, for purposes of the law concerning actions for indecent nuisances, an indecent nuisance includes a public place in or upon which human trafficking is conducted, permitted, continued, or exists, and the personal property and contents used in conducting and maintaining the place for such a purpose. Establishes the human trafficking prevention and victim assistance fund to fund human trafficking victim services and human trafficking prevention programs. Provides that:

1. 80% of money collected in the seizure of property used in connection with human trafficking will be transferred to the human trafficking prevention and victim assistance fund; and
2. 20% of the money will be transferred to the county for use by the prosecuting attorney.

Allows a law enforcement agency to seize real or personal property, including a vehicle that is used by a person to:

1. commit, attempt to commit, or conspire to commit;
2. facilitate the commission of; or
3. escape from the commission of; an offense concerning human trafficking or promoting prostitution.

**PUBLIC LAW 241 - HOUSE ENROLLED ACT 1466 – VARIOUS EFFECTIVE DATES**

**PENSION MATTERS** - Adds and Amends various statutes to IC 5-10.2 and IC 5-10.3, including the following: Provides that an employer that is eligible but not required to participate in the Public Employees' Retirement Fund (PERF) must pay the employer's share of the unfunded liability attributable to the employer's current and former employees if the employer withdraws from PERF or otherwise phases out its participation in PERF. Establishes a procedure by which a political subdivision may participate in the defined contribution only plan. Permits a political subdivision to establish its employer contribution rate to the plan and to elect to match a percentage of its employees' additional contributions to the plan. Requires INPRS to assess an employer a supplemental contribution to PERF to fund the employer's share of the actuarial accrued liability that is unfunded because the employer's employees are members of the plan rather than PERF. Requires participation in the plan by an entity or political subdivision that withdraws from or freezes participation in PERF and thereafter offers its employees a retirement benefit. Requires any other public employer that is eligible but not required to participate in PERF and that wishes to offer a retirement benefit to an employee after June 30, 2015, to participate in either PERF or the plan. Grandfathers participation in another defined contribution plan for entities, political subdivisions, and other public employers participating in another plan on July 1, 2015. Contains provisions related to retired members. Permits a retired member of the 1977 Police Officers' and Firefighters' Pension and Disability Fund (1977 fund) who is at least 55 years of age to:

1. be rehired by the same unit that employed the member in a position covered by the 1977 Fund for a position not covered by the 1977 fund without a minimum period of separation from employment; and
2. continue to receive the member's retirement benefit from the 1977 fund.



**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 242 - HOUSE ENROLLED ACT 1472 - VARIOUS EFFECTIVE DATES**

**TAX EXEMPTIONS AND CREDITS** - Amends 6-1.1-3-7.3 - Permits a county council to impose a local service fee on each person that has business personal property exempt from taxation because the person's business personal property in the county has an acquisition cost of less than \$20,000. This will be allocated to each taxing unit in the same way property taxes are allocated and may be used for any lawful purpose. Amends various sections of the Code. Addresses the establishment or imposition of CAGIT in Marshall County, Tipton County, and Rush County in regard to jail facilities. Makes adjustments to Greene County CEDIT, COIT, and LOIT rates. Requires an employer to file annual withholding tax reports (Form WH-3) not later than 31 days after the end of the calendar year. Provides that a tax increment financing area established by a redevelopment authority that has a United States government military base that is scheduled for closing or is completely or partially inactive or closed does not expire before July 1, 2016. Makes various changes related to sales taxes and the Indiana Department of Revenue.

**PUBLIC LAW 243 - HOUSE ENROLLED ACT 1485 - EFFECTIVE VARIOUS DATES**

**LOCAL TAXATION** – Adds a new article IC 6-3.6 to consolidate and simplify the various local income tax laws to take effect in 2017. Authorizes Rush County to impose a CAGIT tax rate for the construction, renovation, operation, or maintenance of a county jail.

**PUBLIC LAW 244 - HOUSE ENROLLED ACT 1603 EFFECTIVE JANUARY 1, 2016**

**PROPERTY TAX APPEALS** – Adds IC 6-1.1-15-10.5 allowing the establishment of a separate fund known as the property tax assessment appeals fund to hold property tax receipts that are attributable to an increase in the taxing unit's tax rate caused by a reduction in the taxing unit's net assessed value under IC 6-1.1-17-0.5.

**PUBLIC LAW 246 – SENATE ENROLLED ACT 412 – EFFECTIVE MAY 6, 2015**

**INTEGRATED RESOURCE PLANS AND ENERGY EFFICIENCY** – Amends IC 8-1-8.5-3, IC 8-1-8.5-5, IC 8-1-8.5-9, and Adds IC 8-1-8.5-10 - Requires a public utility to submit an integrated resource plan to the utility regulatory commission (IURC). Requires certain electricity suppliers to submit an energy efficiency plan to the IURC at least one time every three years. Provides that evaluation, measurement, and verification procedures required to be included in an electricity supplier's energy efficiency plan must include independent evaluation, measurement, and verification. Provides that the IURC may not require a third party administrator to implement an electricity supplier's energy efficiency program or plan. Provides that if the IURC finds an electricity supplier's energy efficiency plan to be reasonable, the IURC shall allow the electricity supplier to recover or receive certain energy efficiency program costs. Provides that a retail rate adjustment mechanism proposed by an electricity supplier to recover program costs may be based on a reasonable forecast. Provides that if forecasted data is used, the retail rate adjustment mechanism must include a reconciliation mechanism to correct for any variance between forecasted and actual program costs. Specifies that an industrial customer's previous opt out of an energy efficiency program of an electricity supplier constitutes an opt out of an energy efficiency program that is part of the electricity supplier's required energy efficiency plan.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 247 - SENATE ENROLLED ACT 415 – EFFECTIVE JULY 1, 2015**

**VACANT AND ABANDONED HOUSING** – Amends IC 6-1.1-12-18, IC 6-1.1-12-22, IC 6-1.1-24-1.5, IC 6-1.1-24-2.3, IC 6-1.1-24-13, Adds IC 6-1.1-25-0.5, Amends IC 34-30-26-7, IC 36-7-9-5, IC 36-7-9-7, Adds IC 36-7-9-7.5, Amends IC 36-7-9-8, IC 36-7-9-9, IC 36-7-9-12, Adds IC 36-7-9-20.5, Adds IC 36-7-37 - Provides that a county, city, or town fiscal body may adopt an ordinance to establish a deduction period for rehabilitated property that has also been determined to be abandoned or vacant. Specifies that there must be delinquent property taxes or special assessments on real property before it may be sold by the county treasurer as abandoned or vacant property. Provides that an order of a local building standards hearing authority that real property is abandoned or vacant and nonpayment of the associated penalty permits the executive of the county, city, or town to certify to the County Auditor that the real property should be sold as abandoned or vacant property. Provides that the county, city, or town executive that certifies a property as abandoned or vacant has an option to take ownership of the property if the minimum bid is not received. Requires that notifications of unsafe building law orders state that a property may be determined to be abandoned during administrative proceedings. Provides for hearings to review civil penalties imposed at enforcement proceedings. Provides for civil penalties if a property owner does not comply with a repair order when a hearing was not requested. Provides for administrative approval of costs of emergency action. Requires recording of civil penalty orders issued by an enforcement authority. Provides that a hearing authority may use the same standards that are used by a court in finding that real property is abandoned or vacant for purposes of selling the real property at an abandoned and vacant property sale. Permits a county, city, or town executive to use the courts instead of a hearing authority for the determination that a property is abandoned or vacant. Extends the mortgage foreclosure counseling and education court fee until July 1, 2017. Makes technical corrections.

**2015 LAWS AFFECTING CITIES AND TOWNS****PUBLIC LAW 249 - SENATE ENROLLED ACT 436 – EFFECTIVE JULY 1, 2015**

**STATE AND LOCAL TAXATION** - Provides that if a taxpayer has personal property subject to assessment in more than one township in a county or has personal property that is subject to assessment and that is located in two or more taxing districts within the same township, the taxpayer shall file a single tax return with the county assessor. Provides that a personal property return notice must be filed with the county assessor, and not the township assessor, of the county in which the owner resides when the personal property is located in a different county. Provides a property tax exemption for taxpayers with less than \$20,000 of total business personal property in a county. Removes the requirement in current law that such an exemption is effective in a county only if adopted by the county income tax council. Requires, for the \$20,000 personal property exemption, that the owner's certification be notarized and signed under penalties for perjury. Specifies conditions for valuing big box retail properties and commercial nonincome producing real property for property tax purposes and excludes multi-tenant income producing shopping centers from both provisions. Requires the Indiana Board of Tax Review (IBTR) to recommend that the parties settle or mediate any case pending before the board as of May 1, 2015, that has not yet received a hearing if certain conditions apply. Specifies that, to be eligible for a homestead deduction for property that an individual is buying under contract, the contract must obligate the owner to convey title to the individual upon completion of all of the individual's contract obligations. Authorizes a county fiscal body to adopt an ordinance to allow political subdivisions and local agencies within the county to use a uniform property tax disclosure form. Specifies the information that must be disclosed on the form. Provides that the Department of Local Government Finance (DLGF) shall:

1. review the tax rates and levies for each fire protection territory whose establishment was effective not later than July 1, 2012;
2. make recommendations to the participating units concerning their existing tax rates and tax levies; and
3. report its findings and recommendations to the legislative council.

Does the following in the case of a certified technology park that is operating jointly by multiple Redevelopment Commissions:

1. Increases the total maximum amount of tax increment that may be captured by the certified technology park.
2. Authorizes a party to the agreement to allocate a part of the maximum amount that may be deposited in the party's incremental tax financing fund to one or more other parties to the agreement.

Provides that a Redevelopment Commission may enter into a written agreement with a taxpayer in which the taxpayer waives review of any assessment of the taxpayer's tangible property that is located in an allocation area.

**PUBLIC LAW 252 - HOUSE ENROLLED ACT 1019 – EFFECTIVE JULY 1, 2015**

**COMMON CONSTRUCTION WAGE** - Repeals IC 5-16-7 (common construction wage statute) and related statutes. Adds IC 5-16-7.2 unless otherwise provided by law, a public agency may not establish, mandate, or otherwise require a wage scale or wage schedule for a public works contract. Adds IC 5-16-13 concerning requirements for contractors on public works projects and required contractual provisions. Adds IC 5-13-14 - A determination that a contractor is not responsible is conclusive. Adds IC 22-5-1.7-11.1 - Requires contract language concerning the E Verify program. Amends IC 36-1-12-3 to state that the city or town may perform any public work by means of its own workforce, without awarding a contract whenever the cost of that public work project is estimated to be less than \$250,000 (Note, HEA 1019-2015 set the threshold at \$300,000 but this amount was later amended to \$250,000 by HEA 1001-2015). Adds IC 36-1-12-24 - Requires a public works contract of at least \$150,000 may not be awarded to a contractor whose bid does not include a written plan by the contractor for an employee drug testing program.

**2015 LAWS AFFECTING CITIES AND TOWNS**

**PUBLIC LAW 254 - HOUSE ENROLLED ACT 1044 - VARIOUS EFFECTIVE DATES**

**FOOD AND BEVERAGE TAXES** - Adds IC 6-9-45 which authorizes the fiscal body of the town of Rockville to adopt a town food and beverage tax not to exceed 1%; specifies permissible uses. Urges the legislative council to assign to a study committee the topic of whether a uniform food and beverage tax should be enacted into law to allow local governments to adopt such a tax.

**PUBLIC LAW 255 - HOUSE ENROLLED ACT 1540 - VARIOUS EFFECTIVE DATES**

**VARIOUS GAMING MATTERS** – Amends IC 4-33-13-5 regarding distributions of tax revenue remitted by an agent operating a riverboat in a historic hotel district.

**PUBLIC LAW 256 – SENATE ENROLLED ACT 252 – EFFECTIVE JULY 1, 2015**

**HORSE RACING MATTERS** – Adds IC 4-31-2-17.5, Amends IC 4-31-35-, IC 4-31-3-8, IC - 31-3-9, IC 4-31-11-4, IC 4-31-11-5, Adds IC 4-31-11-5.5, Amends IC 4-31-11-15, and IC 4-35-7-12 Requires the Indiana Horse Racing Commission (IHRC) to promote the horse racing industry in Indiana, including its simulcast product. Provides that promotional costs may be paid from the Breed Development Funds. Increases the amount of money in the Breed Development Funds that may be used for IHRC expenses from 2% to 4%. Provides that not more than 50% of that amount may be used to pay costs incurred to promote the Indiana horse racing industry. Requires the IHRC to annually report and account for its promotional actions and expenditures. Provides that the minimum salary per diem for a member of the Indiana Horse Racing Commission equals the maximum per diem amount that an employee of the executive branch of the federal government receives. Changes the appointment process for members of Breed Development Advisory Committees and the process to appoint new members. Changes the distribution of funds to promote horses and horse racing.