

HOUSE BILL No. 1101

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13.1-2-11; IC 5-3; IC 5-15-5.1-5; IC 6-1.1-23.5-10; IC 6-9-3-3.5; IC 8-2-17-2; IC 8-10-5-1; IC 8-14-9-6; IC 10-18; IC 13-26; IC 14-26-8-7; IC 14-28-4-21; IC 14-33; IC 14-34-6; IC 20-23; IC 20-25-5; IC 29-1; IC 32-24; IC 32-29; IC 33-37-3-2.5; IC 34-28-2-3; IC 34-55-6-9; IC 36-1-12.5-5; IC 36-1.5-4-7; IC 36-2-4-8; IC 36-7-9-25; IC 36-10; IC 36-11-9-5.

Synopsis: Publication of public notices. Effective July 1, 2022: (1) Allows a notice to be published in either a locality newspaper or a regular newspaper. (2) If no locality newspaper or a regular newspaper is published in a county, requires publication in a locality newspaper or regular newspaper published in an adjoining county having a general circulation within the county placing the notice. (3) Prohibits an indigent person from being charged a fee that is greater than the governmental rate for publishing a notice. Effective January 1, 2023: (1) Changes the basic rate for publishing notices. (2) Allows for an increase January 1 of any year of the basic charges for the previous year for publishing notices by not more than the inflation rate. (3) Establishes a limit on the amount charged for publishing notices regarding estate administrations, sheriff's foreclosure sales, redemption of property, and service of summons by publication. Effective July 1, 2027: (1) Requires a notice to be published: (A) in an eligible publication; (B) on a statewide notice web site; and (C) if the notice is required by a court order, rule, or statute and is part of a court proceeding, on the Indiana supreme court web site. (2) Repeals statutes defining newspapers and other publications and publication of subsequent notices on the official web site of the political subdivision. Provides that not later than July 1, 2027, the office of technology may enter into memoranda of understanding with state agencies and an organization representing a majority of Indiana newspapers to operate a statewide notice web site. Makes conforming amendments.

Effective: July 1, 2022.

Clere, Karickhoff, Engleman, DeLaney

January 4, 2022, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1101

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 4-13.1-2-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]: **Sec. 11. The office may enter into memoranda of**
4 **understanding with state agencies and private entities for**
5 **operation and maintenance of a statewide notice web site as**
6 **provided in IC 5-3-1.5 and IC 5-3-1.6.**

7 SECTION 2. IC 5-3-1-0.2, AS ADDED BY P.L.147-2016,
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2022]: Sec. 0.2. As used in this section, "locality newspaper"
10 means a publication that meets all the following requirements:

- 11 (1) Is regularly issued at least one (1) time per week.
- 12 (2) Contains in each issue news of general or community interest,
13 community notices, or editorial commentary by different authors.
- 14 (3) Has, in more than one-half (1/2) of its issues published during
15 the previous twelve (12) month period, not more than seventy-five
16 percent (75%) advertising content.
- 17 (4) Has been published continuously for at least three (3) years.



- 1 (5) Has the capability to add subscribers to its distribution list and
 2 must add any person:
 3 (A) who requests to be added as a new subscriber; and
 4 (B) whose mailing address is within the political subdivision
 5 in which the locality newspaper generally circulates.
 6 (6) Is a publication of general circulation in the political
 7 subdivision that is responsible for the publication of notice.
 8 (7) Is circulated by United States mail, free of charge, to
 9 addresses that are located within the political subdivision
 10 responsible for the publication of notice.
 11 (8) Has its circulation verified by an annual independent audit of
 12 the publication.
 13 (9) Contains advertisements from numerous unrelated advertisers
 14 in each issue.
 15 (10) Is not owned by, or under the control of, the owners or
 16 lessees of a shopping center, a merchant's association, or a
 17 business that sells property or services (other than advertising)
 18 whose advertisements for their sales of property or services
 19 constitute the predominant advertising in the publication.
 20 (11) Has continuity as to title and general nature of content from
 21 issue to issue.
 22 (12) Does not constitute a book, either singly or when successive
 23 issues are combined.
 24 (13) Has a known office location in the county in which the
 25 locality newspaper is published.

26 **This section expires July 1, 2027.**

27 SECTION 3. IC 5-3-1-0.3 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2022]: **Sec. 0.3. (a) This section applies after June 30, 2027.**

30 **(b) As used in this chapter, "eligible publication" refers to a**
 31 **journalistic publication that meets the following requirements:**

- 32 **(1) Is registered to do business with the Indiana secretary of**
 33 **state.**
 34 **(2) Has at least twenty-five percent (25%) local news content**
 35 **through measurement of locally created content published**
 36 **during any three (3) month period. Content that is paid to be**
 37 **published, whether or not it is identified as paid content, does**
 38 **not count toward the twenty-five percent (25%) threshold.**
 39 **(3) Publishes new local news content described in subdivision**
 40 **(2), not less than weekly.**
 41 **(4) Is not regulated by the Federal Communications**
 42 **Commission.**



- 1 **(5) Has published for at least three (3) consecutive years.**
- 2 **(6) Has its business location established in the county where**
- 3 **the political subdivision that places the notice is located.**
- 4 **(c) The term does not include the following:**
- 5 **(1) A publication that is owned by or under the control of, the**
- 6 **owners or lessees of a shopping center or a merchant's**
- 7 **association.**
- 8 **(2) A publication owned by, or under the control of, a business**
- 9 **that sells property or services (other than advertising) and the**
- 10 **predominant advertising in the publication is advertising for**
- 11 **the business's sales of property or services.**
- 12 **(3) A publication that is a mail order catalog or other catalog,**
- 13 **advertising flier, travel brochure, house organ, theater**
- 14 **program, telephone directory, restaurant guide, shopping**
- 15 **center advertisement or similar publication.**
- 16 **(4) A publication primarily devoted to matters of specialized**
- 17 **interest such as a labor, fraternal, society, political, religious,**
- 18 **sporting, or trade news publication or journal.**
- 19 **(5) A publication that is a magazine, racing form, or tip sheet.**

20 SECTION 4. IC 5-3-1-0.4, AS AMENDED BY P.L.122-2015,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2022]: Sec. 0.4. As used in this chapter, "newspaper" refers
 23 to a newspaper:

- 24 (1) that:
- 25 (A) is a daily, weekly, semiweekly, or triweekly newspaper of
- 26 general circulation;
- 27 (B) has been published for at least three (3) consecutive years
- 28 in the same city or town;
- 29 (C) has been entered, authorized, and accepted by the United
- 30 States Postal Service for at least three (3) consecutive years as
- 31 mailable matter of the periodicals class;
- 32 (D) has at least fifty percent (50%) of all copies circulated paid
- 33 for by subscribers or other purchasers at a rate that is not
- 34 nominal; and
- 35 (E) has had an average circulation during the preceding year
- 36 of at least two hundred (200), based on the average paid or
- 37 requested circulation for the preceding twelve (12) months
- 38 reported in the newspaper's United States Postal Service
- 39 Statement of Ownership published by the newspaper in
- 40 October of each year; or

- 41 (2) that:
- 42 (A) is a daily, weekly, semiweekly, or triweekly newspaper of



- 1 general circulation;
- 2 (B) has been entered, authorized, and accepted by the United
- 3 States Postal Service as mailable matter of the periodicals
- 4 class;
- 5 (C) has at least fifty percent (50%) of all copies circulated paid
- 6 for by subscribers or other purchasers at a rate that is not
- 7 nominal; and
- 8 (D) meets the greater of the following conditions:
- 9 (i) The newspaper's paid circulation during the preceding
- 10 year is equal to at least fifty percent (50%) of the paid
- 11 circulation for the largest newspaper with a periodicals class
- 12 permit located in the county in which the newspaper is
- 13 published, based on the average paid or requested
- 14 circulation for the preceding twelve (12) months reported in
- 15 the newspaper's United States Postal Service Statement of
- 16 Ownership published by the newspaper in October of each
- 17 year or based on the newspaper's initial application for a
- 18 permit from the United States Postal Service.
- 19 (ii) The newspaper has an average daily paid circulation of
- 20 one thousand five hundred (1,500) based on the average
- 21 paid or requested circulation for the preceding twelve (12)
- 22 months reported in the newspaper's United States Postal
- 23 Service Statement of Ownership published by the newspaper
- 24 in October of each year or based on the newspaper's initial
- 25 application for a permit from the United States Postal
- 26 Service.

27 **This section expires July 1, 2027.**

28 SECTION 5. IC 5-3-1-0.6 IS AMENDED TO READ AS

29 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 0.6. (a) For purposes

30 of this chapter, a newspaper or qualified publication is published at the

31 place where the newspaper or qualified publication has its original

32 entry for mail privileges authorized by the United States Postal Service.

33 (b) For purposes of this chapter, a newspaper or qualified

34 publication is considered published at only one (1) place. The place of

35 publication does not include places at which additional entry offices

36 have been established with the authorization of the United States Postal

37 Service.

38 (c) **This subsection applies after June 30, 2022. For purposes of**

39 **this chapter, a locality newspaper is published at the place where**

40 **the locality newspaper has its known office location devoted**

41 **primarily to business related to the locality newspaper, whether or**

42 **not printing or any other operations of the newspaper are**



1 **conducted at or from the office. For purposes of this chapter, a**
 2 **locality newspaper is considered published at only one (1) place.**

3 **(d) This section expires July 1, 2027.**

4 SECTION 6. IC 5-3-1-0.7 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 0.7. (a) As used in this
 6 chapter, "qualified publication" means a publication that:

- 7 (1) is published daily, weekly, semiweekly, or triweekly;
 8 (2) is of general circulation to the public;
 9 (3) has been published for at least three (3) consecutive years in
 10 the same city or town;
 11 (4) has continuity as to title and general nature of content from
 12 issue to issue;
 13 (5) contains news of general or community interest, community
 14 notices, or editorial commentary;
 15 (6) contains advertisements from unrelated advertisers in each
 16 issue;
 17 (7) has, in more than one-half (1/2) of its issues published during
 18 the previous twelve (12) month period, not more than seventy-five
 19 percent (75%) advertising content;
 20 (8) has a known office location in the county in which it is
 21 published; and
 22 (9) has been entered, authorized, and accepted by the United
 23 States Postal Service as mailable matter of standard mail (A) class
 24 for the time published.

25 (b) A publication is not a qualified publication if any of the
 26 following apply:

- 27 (1) The publication is owned by, or under the control of, the
 28 owners or lessees of a shopping center or a merchant's
 29 association.
 30 (2) The publication is owned by, or under the control of, a
 31 business that sells property or services (other than advertising)
 32 and the predominant advertising in the publication is advertising
 33 for the business's sales of property or services.
 34 (3) The publication is a mail order catalog or other catalog,
 35 advertising flier, travel brochure, house organ, theater program,
 36 telephone directory, restaurant guide, shopping center advertising
 37 sheet, or other similar publication.
 38 (4) The publication is primarily devoted to matters of specialized
 39 interest such as a labor, fraternal, society, political, religious,
 40 sporting, or trade news publication or journal.
 41 (5) The publication is a magazine, racing form, or tip sheet.

42 **(c) This section expires July 1, 2027.**



1 SECTION 7. IC 5-3-1-0.8 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2022]: **Sec. 0.8. This section applies after June 30, 2027. As used**
 4 **in this chapter, "statewide notice web site" means a web site**
 5 **established and maintained by an organization as a joint venture**
 6 **of a majority of Indiana newspapers as a repository for public**
 7 **notices.**

8 SECTION 8. IC 5-3-1-0.9 IS ADDED TO THE INDIANA CODE
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2022]: **Sec. 0.9. This section applies after June 30, 2027. As used**
 11 **in this chapter, "verifiable readership" means the online unique**
 12 **monthly visitors to the eligible publication's web site who, as**
 13 **measured by industry accepted web site analytics software, are**
 14 **from households within the political subdivision placing the notice**
 15 **or the political subdivision specified by the applicable statute, rule,**
 16 **ordinance, or court order.**

17 SECTION 9. IC 5-3-1-1, AS AMENDED BY P.L.147-2016,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2022]: Sec. 1. (a) The cost of all public notice advertising
 20 which any elected or appointed public official or governmental agency
 21 is required by law to have published, or orders published, for which the
 22 compensation to the newspapers, locality newspapers, or qualified
 23 publications **(before July 1, 2027) or eligible publications (after**
 24 **June 30, 2027)** publishing such advertising is drawn from and is the
 25 ultimate obligation of the public treasury of the governmental unit
 26 concerned with the advertising shall be charged to and collected from
 27 the proper fund of the public treasury and paid over to the newspapers,
 28 locality newspapers, or qualified publications **(before July 1, 2027) or**
 29 **eligible publications (after June 30, 2027)** publishing such
 30 advertising, after proof of publication and claim for payment has been
 31 filed.

32 (b) The basic charges for publishing public notice advertising shall
 33 be by the line and shall be computed based on a square of two hundred
 34 and fifty (250) ems at the following rates:

35 (1) Before January 1, 1996, three dollars and thirty cents (\$3.30)
 36 per square for the first insertion in newspapers or qualified
 37 publications plus one dollar and sixty-five cents (\$1.65) per
 38 square for each additional insertion in newspapers, or qualified
 39 publications.

40 (2) After December 31, 1995, and before December 31, 2005, a
 41 newspaper or qualified publication may, effective January 1 of
 42 any year, increase the basic charges by five percent (5%) more



1 than the basic charges that were in effect during the previous year.
2 However, the basic charges for the first insertion of a public
3 notice in a newspaper, or qualified publication may not exceed the
4 lowest classified advertising rate charged to advertisers by the
5 newspaper, or qualified publication for comparable use of the
6 same amount of space for other purposes.

7 (3) After December 31, 2009, and before January 1, 2017, a
8 newspaper or qualified publication may, effective January 1 of
9 any year, increase the basic charges by not more than two and
10 three-quarters percent (2.75%) more than the basic charges that
11 were in effect during the previous year. However, the basic
12 charges for the first insertion of a public notice in a newspaper or
13 qualified publication may not exceed the lowest classified
14 advertising rate charged to advertisers by the newspaper or
15 qualified publication for comparable use of the same amount of
16 space for other purposes and must include all multiple insertion
17 discounts extended to the newspaper's other advertisers.

18 (4) After December 31, 2016, a newspaper, locality newspaper,
19 or qualified publication may, effective January 1 of any year,
20 increase the basic charges by not more than two and
21 three-quarters percent (2.75%) more than the basic charges that
22 were in effect during the previous year. However, the basic
23 charges for the first insertion of a public notice in a newspaper,
24 locality newspaper, or qualified publication may not exceed the
25 lowest classified advertising rate charged to advertisers by the
26 newspaper, locality newspaper, or qualified publication for
27 comparable use of the same amount of space for other purposes
28 and must include all multiple insertion discounts extended to the
29 newspaper's, locality newspaper's, or qualified publication's other
30 advertisers.

31 **(5) After December 31, 2022, a newspaper or locality**
32 **newspaper may, effective January 1 of any year, increase the**
33 **basic charges that were in effect during the previous year by**
34 **not more than the rate of inflation as identified in the**
35 **Consumer Price Index for All Urban Consumers for the**
36 **United States issued by the United States Bureau of Labor**
37 **Statistics. However, the basic charges for the first insertion of**
38 **a public notice in a newspaper or locality newspaper may not**
39 **exceed the lowest classified advertising rate charged to**
40 **advertisers for comparable use of the same amount of space**
41 **for other purposes. This subdivision expires July 1, 2027.**

42 An additional charge of fifty percent (50%) shall be allowed for the



1 publication of all public notice advertising containing rule or tabular
2 work.

3 **(c) This subsection applies after December 31, 2022. The basic**
4 **charges for publishing public notice advertising shall be twelve**
5 **cents (\$0.12) per word. A newspaper or locality newspaper (before**
6 **July 1, 2027) or an eligible publication (after June 30, 2027) may,**
7 **effective January 1 of any year, increase the basic charges that**
8 **were in effect during the previous year by not more than the rate**
9 **of inflation as identified in the Consumer Price Index for All Urban**
10 **Consumers for the United States issued by the United States**
11 **Bureau of Labor Statistics. However, the basic charges for a public**
12 **notice in an eligible publication may not exceed the lowest**
13 **classified advertising rate charged to advertisers by the eligible**
14 **publication for comparable use of the same amount of space for**
15 **other purposes.**

16 ~~(c)~~ **(d)** All public notice advertisements shall be set in solid type that
17 is at least 7 point type, without any leads or other devices for increasing
18 space. All public notice advertisements shall be headed by not more
19 than two (2) lines, neither of which shall total more than four (4) solid
20 lines of the type in which the body of the advertisement is set. Public
21 notice advertisements may be submitted by an appointed or elected
22 official or a governmental agency to a newspaper, locality newspaper,
23 or qualified publication in electronic form, if the newspaper, locality
24 newspaper, or qualified publication is equipped to accept information
25 in compatible electronic form. **This subsection expires July 1, 2027.**

26 ~~(d)~~ **(e)** Each newspaper, locality newspaper, or qualified publication
27 **(before July 1, 2027) or eligible publication (after June 30, 2027)**
28 publishing public notice advertising shall submit proof of publication
29 and claim for payment in duplicate on each public notice advertisement
30 published. For each additional proof of publication required by a public
31 official, a charge of one dollar (\$1) per copy shall be allowed each
32 newspaper, locality newspaper, or qualified publication **(before July**
33 **1, 2027) or eligible publication (after June 30, 2027)** furnishing proof
34 of publication.

35 ~~(e)~~ **(f)** The circulation of a newspaper, locality newspaper, or
36 qualified publication is determined as follows:

37 (1) For a newspaper, by the circulation stated on line 10.C. (Total
38 Paid and/or Requested Circulation of Single Issue Published
39 Nearest to Filing Date) of the Statement of Ownership,
40 Management and Circulation required by 39 U.S.C. 3685 that was
41 filed during the previous year.

42 (2) For a locality newspaper, by a verified affidavit filed with each



1 agency, department, or office of the political subdivision that has
 2 public notices the locality newspaper wants to publish. The
 3 affidavit must:

4 (A) be filed with the agency, department, or office of the
 5 political subdivision before January 1 of each year; and

6 (B) attest to the circulation of the locality newspaper for the
 7 issue published nearest to October 1 of the previous year, as
 8 determined by an independent audit of the locality newspaper
 9 performed for the previous year.

10 (3) For a qualified publication, by a verified affidavit filed with
 11 each governmental agency that has public notices the qualified
 12 publication wants to publish. The affidavit must:

13 (A) be filed with the governmental agency before January 1 of
 14 each year; and

15 (B) attest to the circulation of the qualified publication for the
 16 issue published nearest to October 1 of the previous year.

17 **This subsection expires July 1, 2027.**

18 **(g) This subsection applies after June 30, 2027. The circulation**
 19 **for an eligible publication is determined by a verified affidavit**
 20 **prepared by a third party auditor filed with each governmental**
 21 **agency that has public notices the eligible publication wants to**
 22 **publish. The affidavit must:**

23 **(1) be filed with the governmental agency before January 1 of**
 24 **each year; and**

25 **(2) attest to the verifiable readership of the publication for the**
 26 **month of October of that year.**

27 SECTION 10. IC 5-3-1-1.1 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2022]: **Sec. 1.1. (a) This section applies to publication of notice of**
 30 **a service of summons that is required by statute or court rule.**

31 **(b) After December 31, 2022, the total charge for all**
 32 **publications of notice of the summons by a newspaper or locality**
 33 **newspaper (before July 1, 2027) or an eligible publication (after**
 34 **June 30, 2027) may not exceed a cap of five hundred dollars (\$500),**
 35 **unless the cap is increased as provided in subsection (c).**

36 **(c) After December 31, 2023, a newspaper or locality newspaper**
 37 **(before July 1, 2027) or an eligible publication (after June 30, 2027)**
 38 **may, effective January 1 of any year, increase the cap for all**
 39 **publications of notice of the summons that was in effect during the**
 40 **previous year by not more than the rate of inflation as identified in**
 41 **the Consumer Price Index for All Urban Consumers for the United**
 42 **States issued by the United States Bureau of Labor Statistics.**



1 SECTION 11. IC 5-3-1-1.5, AS AMENDED BY P.L.147-2016,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 1.5. (a) This section applies to a notice that must
 4 be published in accordance with this chapter.

5 (b) If a newspaper or locality newspaper maintains an Internet web
 6 site, a notice that is published in the newspaper or locality newspaper
 7 must also be posted on the web site of the newspaper or locality
 8 newspaper. The notice must appear on the web site on the same day the
 9 notice appears in the newspaper or locality newspaper.

10 (c) The state board of accounts shall develop a standard form for
 11 notices posted on a newspaper's or locality newspaper's Internet web
 12 site.

13 (d) A newspaper or locality newspaper may not charge a fee for
 14 posting a notice on the newspaper's or locality newspaper's Internet
 15 web site under this section.

16 **(e) This section expires July 1, 2027.**

17 SECTION 12. IC 5-3-1-2, AS AMENDED BY P.L.152-2021,
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2022]: Sec. 2. (a) This section applies only when notice of an
 20 event is required to be given by publication in accordance with this
 21 chapter.

22 (b) If the event is a public hearing or meeting concerning any matter
 23 not specifically mentioned in subsection (c), (d), (e), (f), (g), (h), or (i),
 24 notice shall be published one (1) time, at least ten (10) days before the
 25 date of the hearing or meeting.

26 (c) If the event is an election, notice shall be published one (1) time,
 27 not later than twenty-one (21) days before election day.

28 (d) If the event is a sale of bonds, notes, or warrants, notice shall be
 29 published two (2) times, at least one (1) week apart, with:

30 (1) the first publication made at least fifteen (15) days before the
 31 date of the sale; and

32 (2) the second publication made at least three (3) days before the
 33 date of the sale.

34 (e) If the event is the receiving of bids, notice shall be published two
 35 (2) times, at least one (1) week apart, with the second publication made
 36 at least seven (7) days before the date the bids will be received.

37 (f) If the event is the establishment of a cumulative or sinking fund,
 38 notice of the proposal and of the public hearing that is required to be
 39 held by the political subdivision shall be published two (2) times, at
 40 least one (1) week apart, with the second publication made at least
 41 three (3) days before the date of the hearing.

42 (g) If the event is the submission of a proposal adopted by a political



1 subdivision for a cumulative or sinking fund for the approval of the
 2 department of local government finance, the notice of the submission
 3 shall be published one (1) time. The political subdivision shall publish
 4 the notice when directed to do so by the department of local
 5 government finance.

6 (h) If the event is the required publication of an ordinance, notice of
 7 the passage of the ordinance shall be published one (1) time within
 8 thirty (30) days after the passage of the ordinance.

9 (i) If the event is one about which notice is required to be published
 10 after the event, notice shall be published one (1) time within thirty (30)
 11 days after the date of the event.

12 (j) If any officer charged with the duty of publishing any notice
 13 required by law is unable to procure publication of notice:

14 (1) at the price fixed by law;

15 (2) because all newspapers or locality newspapers that are
 16 qualified to publish the notice refuse to publish the notice; or

17 (3) because the newspapers or locality newspapers referred to in
 18 subdivision (2) refuse to post the notice on the newspapers' or
 19 locality newspapers' Internet web sites (if required under section
 20 1.5 of this chapter);

21 it is sufficient for the officer to post printed notices in three (3)
 22 prominent places in the political subdivision, instead of publication of
 23 the notice in newspapers or locality newspapers and on an Internet web
 24 site (if required under section 1.5 of this chapter).

25 (k) This subsection applies if an officer described in subsection (j)
 26 or the officer's designee submits a notice to a newspaper or locality
 27 newspaper in a timely manner and the newspaper or locality newspaper
 28 does not refuse to publish the notice but subsequently fails to publish
 29 the notice. If, within the same period required for publishing notice
 30 under this section, the officer or officer's designee posts:

31 (1) printed notices in three (3) prominent places in the political
 32 subdivision; or

33 (2) notice on the political subdivision's Internet web site in a
 34 location where the notice is easily accessible and identifiable;
 35 the notice is sufficient, and publication of the notice in newspapers or
 36 locality newspapers and on the newspapers' Internet web sites (if
 37 required under section 1.5 of this chapter) is not required.

38 (l) A political subdivision that is required under this chapter to
 39 publish notice in a newspaper two (2) or more times may make:

40 (1) the first publication of notice in a newspaper as required under
 41 section 4 of this chapter or the applicable statute; and

42 (2) all subsequent publications of notice:



1 (A) in accordance with IC 5-3-5; and

2 (B) on the official web site of the political subdivision.

3 If a political subdivision is required to publish a notice two (2) or more
4 times in at least two (2) newspapers contemporaneously, the first
5 publication of the notice includes the first publication of the notice in
6 both newspapers.

7 **(m) This section expires July 1, 2027.**

8 SECTION 13. IC 5-3-1-2.1 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2022]: **Sec. 2.1. (a) This section applies after June 30, 2027.**

11 **(b) This section applies only when notice of an event is required**
12 **to be given by publication in accordance with this chapter.**

13 **(c) If the event is a public hearing or meeting concerning any**
14 **matter not specifically mentioned in subsection (d), (e), (f), (g), (h),**
15 **(i), or (j), notice shall be published at least ten (10) days before the**
16 **date of the hearing or meeting.**

17 **(d) If the event is an election, notice shall be published not later**
18 **than twenty-one (21) days before election day.**

19 **(e) If the event is a sale of bonds, notes, or warrants, notice shall**
20 **be published at least fifteen (15) days before the date of the sale.**

21 **(f) If the event is the receiving of bids, notice shall be published**
22 **at least fourteen (14) days before the date the bids will be received.**

23 **(g) If the event is the establishment of a cumulative or sinking**
24 **fund, notice of the proposal and of the public hearing that is**
25 **required to be held by the political subdivision shall be published**
26 **at least ten (10) days before the date of the hearing.**

27 **(h) If the event is the submission of a proposal adopted by a**
28 **political subdivision for a cumulative or sinking fund for the**
29 **approval of the department of local government finance, the notice**
30 **of the submission shall be published when directed to do so by the**
31 **department of local government finance.**

32 **(i) If the event is the required publication of an ordinance,**
33 **notice of the passage of the ordinance shall be published not later**
34 **than thirty (30) days after the passage of the ordinance.**

35 **(j) If the event is one about which notice is required to be**
36 **published after the event, notice shall be published not later than**
37 **thirty (30) days after the date of the event.**

38 **(k) If any officer charged with the duty of publishing any notice**
39 **required by law is unable to procure publication of notice:**

40 **(1) at the price fixed by law; or**

41 **(2) because all eligible publications refuse to publish the**
42 **notice;**



1 it is sufficient for the officer to post printed notices in three (3)
2 prominent places in the political subdivision.

3 (l) This subsection applies if an officer described in subsection
4 (k) or the officer's designee submits a notice to an eligible
5 publication in a timely manner and the eligible publication does not
6 refuse to publish the notice but subsequently fails to publish the
7 notice. If, within the same period required for publishing notice
8 under this section, the officer or officer's designee posts:

9 (1) printed notices in three (3) prominent places in the
10 political subdivision; or

11 (2) notice on the political subdivision's Internet web site in a
12 location where the notice is easily accessible and identifiable;
13 the notice is sufficient.

14 (m) A public notice shall be published in the eligible publication
15 for not less than ninety (90) days.

16 SECTION 14. IC 5-3-1-2.3, AS AMENDED BY P.L.257-2019,
17 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2022]: Sec. 2.3. (a) A notice published in accordance with this
19 chapter, **IC 5-3-1.5 (after June 30, 2027)**, or any other Indiana statute
20 is valid even though:

21 (1) the notice contains errors or omissions, as long as:

22 (1) (A) a reasonable person would not be misled by the error
23 or omission; and

24 (2) (B) the notice is in substantial compliance with the time
25 and publication requirements applicable under this chapter or
26 any other Indiana statute under which the notice is published;

27 or

28 (2) the display of a notice in an eligible publication, web site
29 of an eligible publication, or the statewide notice web site, was
30 prohibited by a temporary web site outage or service
31 interruption.

32 (b) This subsection applies if:

33 (1) a political subdivision publishes or submits to the department
34 of local government finance's computer gateway a notice
35 concerning a tax rate, tax levy, or budget;

36 (2) the notice described in subdivision (1) contains an error or
37 omission that causes the notice to inaccurately reflect the tax rate,
38 tax levy, or budget actually proposed or fixed by the political
39 subdivision; and

40 (3) the difference between the amount of the published or
41 submitted tax rate, tax levy, or budget of the political subdivision
42 and the tax rate, tax levy, or budget actually proposed or fixed by



- 1 the political subdivision is less than one-tenth of one percent
 2 (0.1%).
 3 Notwithstanding any other law, a notice described in this subsection is
 4 a valid notice and the department of local government finance shall
 5 correct the error or omission.
- 6 SECTION 15. IC 5-3-1-4, AS AMENDED BY P.L.147-2016,
 7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2022]: Sec. 4. (a) Whenever officers of a political subdivision
 9 are required to publish a notice affecting the political subdivision, they
 10 shall publish the notice in two (2) newspapers **and locality**
 11 **newspapers** published in the political subdivision.
- 12 (b) This subsection applies to notices published by county officers.
 13 If there is only one (1) newspaper **or locality newspaper** published in
 14 the county, then publication in that newspaper **or locality newspaper**
 15 alone is sufficient. **If no newspaper or locality newspaper is**
 16 **published in a county, a notice shall be published in a newspaper**
 17 **or locality newspaper that:**
 18 **(1) is published in an adjoining county; and**
 19 **(2) has a general circulation within the county placing the**
 20 **notice.**
- 21 (c) This subsection applies to notices published by city, town, or
 22 school corporation officers. If there is only one (1) newspaper **or**
 23 **locality newspaper** published in the municipality or school
 24 corporation, then publication in that newspaper **or locality newspaper**
 25 alone is sufficient. If no newspaper **or locality newspaper** is published
 26 in the municipality or school corporation, then publication of the notice
 27 shall be made in: ~~one (1) of the following: (1) A locality newspaper~~
 28 ~~that circulates within the municipality or school corporation:~~
 29 ~~(2) (1) a newspaper or locality newspaper that:~~
 30 ~~(A) is published in the county in which the municipality or~~
 31 ~~school corporation is located; and~~
 32 ~~(B) that circulates within the municipality or school~~
 33 ~~corporation; or~~
 34 **(2) if no newspaper or locality newspaper is published in the**
 35 **county in which the municipality or school corporation is**
 36 **located, a newspaper or locality newspaper that:**
 37 **(A) is published in an adjoining county; and**
 38 **(B) has a general circulation in the county in which the**
 39 **municipality or school corporation is located.**
- 40 (d) This subsection applies to notices published by officers of
 41 political subdivisions not covered by subsection (a) or (b). If there is
 42 only one (1) newspaper **or locality newspaper** published in the



1 political subdivision, then the notice shall be published in that
 2 newspaper **or locality newspaper**. If no newspaper **or locality**
 3 **newspaper** is published in the political subdivision, then publication
 4 of the notice shall be made in: ~~one (1) of the following:~~ (1) A locality
 5 newspaper that circulates within the municipality or school
 6 corporation. (2):

7 (1) a newspaper **or locality newspaper** that:

8 (A) is published in the county in which the political
 9 subdivision is located; and

10 (B) that circulates within the political subdivision; or

11 (2) if no newspaper **or locality newspaper** is published in the
 12 county in which the political subdivision is located, a
 13 newspaper **or locality newspaper** that:

14 (A) is published in an adjoining county; and

15 (B) has a general circulation in the county in which the
 16 political subdivision is located.

17 (e) This subsection applies to a political subdivision, including a
 18 city, town, or school corporation. Notwithstanding any other law, if a
 19 political subdivision has territory in more than one (1) county, public
 20 notices that are required by law or ordered to be published must be
 21 given as follows:

22 (1) By publication in two (2) newspapers **or locality newspapers**
 23 published within the boundaries of the political subdivision.

24 (2) If only one (1) newspaper **or locality newspaper** is published
 25 within the boundaries of the political subdivision, by publication
 26 of the notice in:

27 (A) that newspaper **or locality newspaper**; and

28 (B) in one (1) of the following: (A) A locality newspaper that
 29 circulates within the political subdivision. (B) In another
 30 newspaper: (i) newspaper **or locality newspaper** published
 31 in any county in which the political subdivision extends and
 32 (ii) that has a general circulation in the political subdivision.

33 (3) If no newspaper **or locality newspaper** is published within
 34 the boundaries of the political subdivision, by publishing the
 35 notice in two (2) publications, consisting of either or both of the
 36 following: (A) A locality newspaper that circulates within the
 37 political subdivision. (B) A newspaper that: (i) is newspapers **or**
 38 **locality newspapers** published in any counties into which the
 39 political subdivision extends and (ii) that has have a general
 40 circulation in the political subdivision;

41 (4) If only one (1) newspaper **or locality newspaper** is published
 42 in any of the counties into which the political subdivision extends,



1 by publication of the notice in ~~one (1)~~ of the following: (A) A
 2 locality newspaper that circulates within the political subdivision;
 3 ~~(B)~~ the newspaper **or locality newspaper** published in the
 4 county, if the newspaper **or locality newspaper** circulates within
 5 the political subdivision.

6 (f) A political subdivision may, in its discretion, publish public
 7 notices in a qualified publication or additional newspapers or locality
 8 newspapers to provide supplementary notification to the public. The
 9 cost of publishing supplementary notification is a proper expenditure
 10 of the political subdivision.

11 **(g) This section expires July 1, 2027.**

12 SECTION 16. IC 5-3-1-4.1 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2022]: **Sec. 4.1. (a) This section applies after June 30, 2027.**

15 **(b) When officers of a political subdivision are required to**
 16 **publish a notice affecting the political subdivision, the officers shall**
 17 **publish the notice in two (2) eligible publications published in the**
 18 **political subdivision.**

19 **(c) This subsection applies to notices published by county**
 20 **officers. If there is only one (1) eligible publication published in the**
 21 **county, then publication in that eligible publication alone is**
 22 **sufficient. If no eligible publication is published in a county, a**
 23 **notice may be published in an eligible publication that:**

24 **(1) is published in an adjoining county; and**

25 **(2) has a verifiable readership within the county placing the**
 26 **notice.**

27 **(d) This subsection applies to notices published by city, town, or**
 28 **school corporation officers. If there is only one (1) eligible**
 29 **publication published in the municipality or school corporation,**
 30 **then publication in that eligible publication alone is sufficient. If:**

31 **(1) no eligible publication is published in the municipality or**
 32 **school corporation, then publication of the notice shall be**
 33 **made in an eligible publication that:**

34 **(A) is published in the county in which the municipality or**
 35 **school corporation is located; and**

36 **(B) has a verifiable readership in the municipality or**
 37 **school corporation; or**

38 **(2) no eligible publication is published in the county in which**
 39 **the municipality or school corporation is located, an eligible**
 40 **publication that:**

41 **(A) is published in an adjoining county; and**

42 **(B) has a verifiable readership in the county in which the**



- 1 municipality or school corporation is located.
- 2 (e) This subsection applies to notices published by officers of
- 3 political subdivisions not covered by subsection (c) or (d). If there
- 4 is only one (1) eligible publication published in the political
- 5 subdivision, then the notice shall be published in that eligible
- 6 publication. If:
- 7 (1) no eligible publication is published in the political
- 8 subdivision, then publication of the notice shall be made in an
- 9 eligible publication:
- 10 (A) published in the county in which the political
- 11 subdivision is located; and
- 12 (B) has verifiable readership in the political subdivision; or
- 13 (2) no eligible publication is published in the county in which
- 14 the political subdivision is located, then publication of the
- 15 notice shall be made in an eligible publication:
- 16 (A) published in an adjoining county; and
- 17 (B) that has a verifiable readership in the county in which
- 18 the political subdivision is located.
- 19 (f) This subsection applies to a political subdivision, including a
- 20 city, town, or school corporation. Notwithstanding any other law,
- 21 if a political subdivision has territory in more than one (1) county,
- 22 public notices that are required by law or ordered to be published
- 23 must be given as follows:
- 24 (1) By publication in two (2) eligible publications published
- 25 within the boundaries of the political subdivision.
- 26 (2) If only one (1) eligible publication is published within the
- 27 boundaries of the political subdivision, by publishing the
- 28 notice in:
- 29 (A) that eligible publication; and
- 30 (B) an eligible publication:
- 31 (i) published in any county in which the political
- 32 subdivision extends; and
- 33 (ii) that has a verifiable readership within the political
- 34 subdivision.
- 35 (3) If no eligible publication is published within the political
- 36 subdivision, by publishing the notice in two (2) eligible
- 37 publications:
- 38 (A) published in any county into which the political
- 39 subdivision extends; and
- 40 (B) that have a verifiable readership in the political
- 41 subdivision.
- 42 (4) If only one (1) eligible publication is published in any of



1 **the counties into which the political subdivision extends, by**
 2 **publication of the notice in that eligible publication, if the**
 3 **eligible publication has verifiable readership in the political**
 4 **subdivision.**

5 **(g) A political subdivision may, in its discretion, publish public**
 6 **notices in additional eligible publications to provide supplementary**
 7 **notification to the public. The cost of publishing supplementary**
 8 **notification is a proper expenditure of the political subdivision.**

9 SECTION 17. IC 5-3-1-6, AS AMENDED BY P.L.177-2005,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2022]: Sec. 6. (a) In all cases where notices are required by
 12 law to be published in the public newspaper by or under the
 13 supervision of any state officer, board, commission, or institution of the
 14 state of Indiana, said notices are hereby required to be published in
 15 each of two (2) daily newspapers published in the city of Indianapolis
 16 and in such other cities as is required by law, said notices to be in all
 17 cases published in two (2) newspapers in each city where they are
 18 required to be published. In all cases where the officer, board,
 19 commission, or institution making said publication is located outside
 20 of the city of Indianapolis, said notices shall also be published in
 21 newspapers published within the county where said officer, board,
 22 commission, or institution maintains its office. The rate charged for all
 23 such notices and advertising shall be the same as is set out in section
 24 1 of this chapter. **This subsection expires July 1, 2027.**

25 **(b) This subsection applies after June 30, 2027. When a notice**
 26 **is required by law to be published in an eligible publication by or**
 27 **under the supervision of any state officer, board, commission, or**
 28 **institution of the state of Indiana, the notice must be published as**
 29 **follows:**

30 **(1) Publication in two (2) eligible publications that are**
 31 **published in or have a verifiable readership in:**

32 **(A) the city of Indianapolis; and**

33 **(B) any other city in which notice is required by law to be**
 34 **published.**

35 **The eligible publications must have new local news coverage**
 36 **at least weekly.**

37 **(2) If the officer, board, commission, or institution is located**
 38 **outside the city of Indianapolis, the notice shall also be**
 39 **published in one (1) eligible publication in the county where**
 40 **the officer, board, commission, or institution maintains its**
 41 **office.**

42 **The rate charged for the notices and advertising shall be the same**



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as is set out in section 1 of this chapter.

~~(b)~~ **(c)** In addition to the requirements of subsection (a) **(before July 1, 2027) or subsection (b) (after June 30, 2027)**, a state officer, board, commission, or institution of the state of Indiana that is required by law to publish a notice of a public meeting shall also provide electronic access to the notice through the computer gateway administered by the office of technology established by IC 4-13.1-2-1.

SECTION 18. IC 5-3-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 8. **(a)** Whenever the utility regulatory commission shall order a hearing in any city, town, county, or township of the state, notice of such hearing shall be published in two (2) newspapers of general circulation in such city, town, county, or township, by one (1) publication in each of such newspapers, not less than ten (10) days prior to the day on which such hearing will be held.

This subsection expires July 1, 2027.

(b) This subsection applies after June 30, 2027. Whenever the utility regulatory commission orders a hearing in a city, town, county, or township, notice of the hearing must be published:

- (1) one (1) time; and**
- (2) not less than ten (10) days before the date of the hearing; in two (2) eligible publications that are published in or have a verifiable readership in the city, town, county, or township.**

SECTION 19. IC 5-3-1.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 1.5. Publication of Public Notices

Sec. 1. This chapter applies after June 30, 2027.

Sec. 2. This chapter applies to any public notice that is required by law, rule, or court order to be published.

Sec. 3. The definitions in IC 5-3-1 apply to this chapter.

Sec. 4. An eligible publication must maintain an Internet web site. The web site must have a home page that has a prominent link to the public notices section of the web site.

Sec. 5. Whenever a person submits a public notice for publication in an eligible publication, the eligible publication shall do the following:

- (1) Transmit a copy of the notice to the statewide notice web site for publication in accordance with section 6 of this chapter.**
- (2) Publish the public notice in the eligible publication for at least the length of time required by the relevant provision of the statute or rule that requires publication of the public**



- 1 notice.
- 2 (3) If the notice is part of a court proceeding and required by
- 3 the Indiana Rules of Civil Procedure, a court order, or a
- 4 statute, a copy of the notice shall be transmitted to the court
- 5 case management system developed and operated by the office
- 6 of judicial administration (created under IC 33-24-6-1) for
- 7 publication on the Indiana supreme court's web site.
- 8 **Sec. 6. A person may submit a notice for publication directly to**
- 9 **the statewide notice web site. The administrator of the statewide**
- 10 **notice web site shall do the following:**
- 11 (1) Transmit a copy of the notice to the appropriate eligible
- 12 publication as determined under IC 5-3-1-4 or the applicable
- 13 statute, rule, or order for publication in accordance with
- 14 section 5 of this chapter.
- 15 (2) Publish the notice on the statewide notice web site:
- 16 (A) contemporaneously with the first publication in the
- 17 eligible publication; and
- 18 (B) for at least as long as the public notice appears in the
- 19 eligible publication.
- 20 **Sec. 7. The operator of the statewide notice web site shall do the**
- 21 **following:**
- 22 (1) Maintain the statewide notice web site to be accessible and
- 23 searchable by the public at all times, other than during
- 24 maintenance or circumstances outside the operator's control.
- 25 (2) Not charge the entity placing the notice a fee for:
- 26 (A) publishing a public notice on the statewide notice web
- 27 site;
- 28 (B) transmitting a public notice to an eligible publication;
- 29 or
- 30 (C) viewing or searching the statewide notice web site for
- 31 public notices.
- 32 However, the operator may charge a fee to provide electronic
- 33 mail notification to the public when new public notices are
- 34 published and for enhanced search and customized content
- 35 delivery features.
- 36 (3) Not require a person to register on the statewide notice
- 37 web site in order to view or search for public notices.
- 38 (4) Enable public notices to be accessed by keyword, by party
- 39 name, by county, and by other useful identifiers.
- 40 (5) Place a statement on the statewide notice web site stating
- 41 that public notices are also published in eligible publications.
- 42 The statewide notice web site must provide links to eligible



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publications' web sites.
(6) Provide data transfer to the Indiana state library of public notices published on the statewide notice web site in accordance with the protocols developed by the Indiana archives and records administration and state library for preserving public notices for historical purposes.

Sec. 8. An eligible publication shall do the following:

- (1) Maintain the eligible publication's web site to be accessible and searchable by the public at all times, other than during maintenance or circumstances outside the operator's control.
- (2) Not charge a fee for:
 - (A) publishing a public notice on the statewide notice web site; or
 - (B) viewing or searching the eligible publication's web site for public notices.

However, an eligible publication may charge a fee to provide electronic mail notification to the public when new public notices are published and for enhanced search and customized content delivery features.

(3) Place a statement in the public notices section of the web site stating that additional public notices are also published on the statewide notice web site. The statement must provide a prominent link to the statewide notice web site.

(4) The public notices section of the eligible publication must include a statement that additional notices may be accessed on the Indiana supreme court's web site and provide the web address for the Indiana supreme court web site.

Sec. 9. Proof of publication of notice shall be provided in accordance with rules adopted by the Indiana supreme court.

SECTION 20. IC 5-3-1.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 1.6. Statewide Notice Web Site

Sec. 1. The definitions in IC 5-3-1 apply throughout this chapter.

Sec. 2. "Indiana archives and records administration" means the Indiana archives and records administration created by IC 5-15-5.1-3.

Sec. 3. "Office of technology" means the office of technology established by IC 4-13.1-2-1.

Sec. 4. "Organization" means the entity that establishes and maintains the statewide notice web site as a repository for public notices as a joint venture of a majority of Indiana newspapers.



1 **Sec. 5. Not later than July 1, 2027, the office of technology may**
2 **enter into a memorandum of understanding with an organization**
3 **for the operation and maintenance of a statewide notice web site by**
4 **the organization that complies with the requirements of IC 5-3-1.5**
5 **and the guidelines and standards adopted under section 8 of this**
6 **chapter.**

7 **Sec. 6. The statewide notice web site shall:**

8 **(1) receive and store public notices received from:**

9 **(A) eligible publications under IC 5-3-1.5-5; or**

10 **(B) the public under IC 5-3-1.5-6;**

11 **(2) publish the public notices on the statewide notice web site**
12 **in accordance with IC 5-3-1.5;**

13 **(3) provide data transfer from the statewide notice web site to**
14 **the Indiana records administration of public notices published**
15 **on the statewide notice web site in accordance with standards**
16 **and guidelines adopted by the Indiana archives and records**
17 **administration in coordination with the office of technology;**
18 **and**

19 **(4) comply with any other requirement in IC 5-3-1.5-8.**

20 **Sec. 7. The organization shall provide at its own expense, all**
21 **necessary equipment, infrastructure, and technical support**
22 **necessary to establish, maintain, and operate the statewide notice**
23 **web site or operate the web site on equipment or in facilities**
24 **already owned or used by the organization.**

25 **Sec. 8. The office of technology shall adopt standards and**
26 **guidelines concerning the operation and maintenance of the**
27 **statewide notice web site including:**

28 **(1) the manner in which public notices are transmitted from**
29 **the statewide notice web site to the Indiana state library in**
30 **accordance with the protocols developed by the Indiana**
31 **archives and records administration; and**

32 **(2) the manner in which public notices are transferred to the**
33 **Indiana archives and records administration in accordance**
34 **with protocols developed by the Indiana archives and records**
35 **administration for preserving public notices for historical**
36 **purposes.**

37 **Sec. 9. The office of technology may enter into memoranda of**
38 **understanding with state agencies and private entities, as**
39 **necessary, to implement this chapter and IC 5-3-1.5.**

40 **Sec. 10. The Indiana archives and records administration may**
41 **enter into memoranda of understanding with state agencies and**
42 **private entities, as necessary, to ensure transfer of public notices**



1 **for historical and archival purposes consistent with IC 5-3-1.5.**

2 SECTION 21. IC 5-3-5-10 IS ADDED TO THE INDIANA CODE
3 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2022]: **Sec. 10. This chapter expires July 1, 2027.**

5 SECTION 22. IC 5-15-5.1-5, AS AMENDED BY P.L.171-2015,
6 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2022]: Sec. 5. (a) Subject to approval by the oversight
8 committee on public records created by section 18 of this chapter, the
9 administration shall do the following:

10 (1) Establish a forms management program for state government
11 and approve the design, typography, format, logo, data sequence,
12 form analysis, form number, and agency file specifications of
13 each form.

14 (2) Establish a central state form numbering system and a central
15 cross index filing system of all state forms, and standardize,
16 consolidate, and eliminate, wherever possible, forms used by state
17 government.

18 (3) Approve, provide, and may, in the manner prescribed by
19 IC 5-22, purchase photo-ready copy for all forms.

20 (4) Establish a statewide records management program,
21 prescribing the standards and procedures for record making and
22 record keeping. However, the investigative and criminal history
23 records of the state police department are exempted from this
24 requirement.

25 (5) Coordinate utilization of all micrographics and imaging
26 equipment in state government.

27 (6) Assist the Indiana department of administration in
28 coordinating utilization of all duplicating and printing equipment
29 in the executive and administrative branches.

30 (7) Advise the Indiana department of administration with respect
31 to the purchase of all records storage equipment.

32 (8) Establish and operate a distribution center for the receipt,
33 storage, and distribution of all material printed for an agency.

34 (9) Establish and operate a statewide archival program to be
35 called the Indiana state archives for the permanent government
36 records of the state and local governments, provide consultant
37 services for archival programs, conduct surveys, and provide
38 training for records coordinators.

39 (10) Establish and operate a statewide record preservation
40 laboratory.

41 (11) Prepare, develop, and implement record retention schedules.

42 (12) Establish and operate a central records center to be called the



1 Indiana state records center, which shall accept all records
 2 approved for transfer to it, provide secure storage and reference
 3 service for the same, and submit written notice to the applicable
 4 agency of intended destruction of records in accordance with
 5 approved retention schedules.

6 (13) Demand from any person, organization, or body who has
 7 illegal possession of original state or local government records
 8 those records, which shall be delivered to the administration.

9 (14) Have the authority to examine all forms and records housed
 10 or possessed by state agencies and local governments for the
 11 purpose of fulfilling the provisions of this chapter.

12 (15) In coordination with the office of technology established by
 13 IC 4-13.1-2-1, establish standards to ensure the preservation of
 14 adequate and permanent computerized and auxiliary automated
 15 information records of state agencies and local government.

16 (16) Notwithstanding IC 5-14-3-8, establish a schedule of fees for
 17 services provided to patrons of the Indiana state archives, patrons
 18 of the state imaging and microfilm laboratory, and state agencies.
 19 A copying fee established under this subdivision may exceed the
 20 copying fee set forth in IC 5-14-3-8(c).

21 (17) Advise the office of technology established by IC 4-13.1-2-1
 22 with respect to records management and archival principles as
 23 applicable to the purchase of all electronic content and
 24 information management systems.

25 **(18) In coordination with the office of technology established**
 26 **by IC 4-13.1-2-1, and in consultation with the organization**
 27 **operating a statewide notice web site under IC 5-3-1.5,**
 28 **establish standards and guidelines for the transfer and**
 29 **preservation of public notices from the statewide notice web**
 30 **site to the Indiana records administration to preserve public**
 31 **notices for historical purposes.**

32 **(19) Enter into memoranda of understanding with agencies**
 33 **and private entities, as necessary, to ensure transfer of public**
 34 **notices from the statewide notice web site under IC 5-3-1.5 to**
 35 **preserve public notices for historical purposes.**

36 (b) In implementing a forms management program, the
 37 administration shall follow procedures and forms prescribed by the
 38 federal government.

39 (c) Fees collected under subsection (a)(16) shall be deposited in the
 40 state archives preservation and reproduction account established by
 41 section 5.3 of this chapter.

42 SECTION 23. IC 6-1.1-23.5-10, AS AMENDED BY P.L.152-2021,



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2022]: Sec. 10. (a) After preparing the notice described under
3 section 9 of this chapter, the county treasurer shall do the following:

4 (1) Post a copy of the notice at a public place of posting in the
5 county courthouse or in another public county building at least
6 thirty (30) days before the earliest date on which the application
7 for judgment may be made.

8 (2) Publish the notice once in accordance with IC 5-3-1-4 at least
9 thirty (30) days before the earliest date on which the application
10 for judgment may be made. The expenses of this publication shall
11 be paid out of the county general fund without prior
12 appropriation. **This subdivision expires July 1, 2027.**

13 (3) Publish a notice twice in accordance with IC 5-3-1-2(l) or
14 IC 5-3-1-4 at the following times stating that the complete listing
15 of mobile homes eligible for sale at auction under this chapter is
16 available on the Internet web site of the county government or the
17 county government's contractor:

18 (A) The first time at least seven (7) days after the publication
19 of the notice required under subdivision (2).

20 (B) The second time at least seven (7) days after the
21 publication of the notice required under clause (A).

22 **This subdivision expires July 1, 2027.**

23 **(4) This subdivision applies after June 30, 2021. Publish the**
24 **notice in accordance with IC 5-3-1-4.1 at least thirty (30) days**
25 **before the earliest date on which the application for judgment**
26 **may be made. The expenses of this publication shall be paid**
27 **out of the county general fund without prior appropriation.**
28 **The notice must state that the complete listing of mobile**
29 **homes eligible for sale at auction under this chapter is**
30 **available on the Internet web site of the county government or**
31 **the county government's contractor.**

32 ~~(4)~~ **(5)** At least thirty (30) days before the earliest date on which
33 the application for judgment may be made, mail a copy of the
34 notice described under section 9 of this chapter by certified mail,
35 return receipt requested, to any party having a substantial property
36 interest of record.

37 (b) The notices mailed under this section are considered sufficient
38 notice of the intended application for judgment and of the sale of
39 mobile homes under the order of the court.

40 (c) For mobile homes that are not sold when initially offered for sale
41 under this chapter, the county treasurer may omit the descriptions of
42 the mobile homes specified in section 9(b)(1) and 9(b)(3) of this



1 chapter for those mobile homes when they are for sale at a subsequent
2 auction if:

3 (1) the county treasurer includes in the notice a statement that
4 descriptions of those mobile homes are available on the Internet
5 web site of the county government or the county government's
6 contractor and the information may be obtained in an alternative
7 form from the county treasurer upon request; and

8 (2) the descriptions of those mobile homes eligible for sale a
9 second or subsequent time are made available on the Internet web
10 site of the county government or the county government's
11 contractor and may be obtained from the county treasurer in an
12 alternative form upon request in accordance with section 11 of
13 this chapter.

14 SECTION 24. IC 6-9-3-3.5, AS AMENDED BY P.L.152-2021,
15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2022]: Sec. 3.5. (a) Before January 1 of each year, the board
17 of managers shall annually publish a financial report summarizing the
18 income and expenses of the board of managers for the previous twelve
19 (12) months.

20 (b) The report required by subsection (a) must be published two (2)
21 times, one (1) week apart:

22 (1) with each publication of the report in a daily or weekly
23 newspaper published in the English language and of general
24 circulation in both Clark County and Floyd County; or

25 (2) with the first publication of the report in a newspaper
26 described in subdivision (1) and the second publication of the
27 report:

28 (A) in accordance with IC 5-3-5; and

29 (B) on the board's official web site.

30 **This subsection expires July 1, 2027.**

31 **(c) This subsection applies after June 30, 2027. The report**
32 **required by subsection (a) must be published in accordance with**
33 **IC 5-3-1.5 in an eligible publication that is published in and has a**
34 **verifiable readership in Clark County or Floyd County.**

35 ~~(e)~~ (d) Before January 1 of each year, the board of managers shall
36 prepare a written report generally summarizing the board's activities for
37 the previous twelve (12) months. The report shall be made available on
38 an Internet web site maintained by the board of managers.

39 SECTION 25. IC 8-2-17-2, AS AMENDED BY P.L.152-2021,
40 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2022]: Sec. 2. (a) The legislative body shall not grant a license
42 to the applicant until satisfactory evidence is produced showing that:



1 (1) the application has been on file in the office of the city or town
 2 clerk for not less than fourteen (14) days; and

3 (2) ~~that~~ notice of the filing of the application has been:

4 (A) posted for at least two (2) weeks at the door of the city hall
 5 of any city or at some public place in any town; and

6 (B) published as provided in subsection (b) (before July 1,
 7 2027) or subsection (c) (after June 30, 2027).

8 (b) Notice of the filing of the application shall be published once
 9 each week for two (2) consecutive weeks:

10 (1) with each publication of the notice made in a newspaper of
 11 general circulation in the city or town or where there is no
 12 newspaper, notice by posting is sufficient notice; or

13 (2) with the first publication made in a newspaper described in
 14 subdivision (1) and the second publication:

15 (A) in accordance with IC 5-3-5; and

16 (B) on the official web site of the city or town.

17 **This subsection expires July 1, 2027.**

18 (c) **This subsection applies after June 30, 2027. Notice of the**
 19 **filing of the application shall be published in accordance with**
 20 **IC 5-3-1.5 in an eligible publication that is published in or has a**
 21 **verifiable readership in the city or town. If there is no eligible**
 22 **publication that is published in or has a verifiable readership in the**
 23 **city or town, notice by posting is sufficient notice.**

24 SECTION 26. IC 8-10-5-1, AS AMENDED BY P.L.152-2021,
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2022]: Sec. 1. As used in this chapter:

27 (1) "Port authority" means a port authority created pursuant to
 28 authority of this chapter.

29 (2) The terms "port" or "harbor" may be used interchangeably and
 30 when used in this chapter shall mean any area used for servicing,
 31 storing, protecting, mooring, loading or unloading, or repairing
 32 any watercraft, on or adjacent to any body of water which may be
 33 wholly or partially within or wholly or partially adjacent to the
 34 state of Indiana. The terms include a breakwater area.

35 (3) The term "watercraft" shall mean any vessel, barge, boat, ship,
 36 tug, sailingcraft, skiff, raft, inboard or outboard propelled boat, or
 37 any contrivance known on March 13, 1959, or invented after
 38 March 13, 1959, used or designed for navigation of or use upon
 39 water, including a vessel permanently anchored in a port.

40 (4) "Publication" means publication once a week for two (2)
 41 consecutive weeks:

42 (A) with each publication of notice made in a newspaper of



1 general circulation in the city, county, or counties where
 2 publication is required to be made; or
 3 (B) with the first publication of notice made in a newspaper
 4 described in clause (A) and the second publication of notice:
 5 (i) in accordance with IC 5-3-5; and
 6 (ii) on the official web site of the city, county, or counties
 7 where publication is required to be made.

8 **This subdivision expires July 1, 2027.**
 9 **(5) This subdivision applies after June 30, 2027. "Publication"**
 10 **means publication in accordance with IC 5-3-1.5 in an eligible**
 11 **publication that is published in or has a verifiable readership**
 12 **in the city, county, or counties where publication is required**
 13 **to be made.**

14 ~~(5)~~ (6) The term "governing body" shall mean the legislative
 15 authority of the governmental unit or units establishing or having
 16 established a port authority under the provisions of this chapter.

17 SECTION 27. IC 8-14-9-6, AS AMENDED BY P.L.152-2021,
 18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2022]: Sec. 6. (a) A resolution adopted under section 5 of this
 20 chapter shall be made available for public inspection. The board shall
 21 publish notice of the adoption. The notice must contain a general
 22 description of the resolution, and it must indicate that the resolution
 23 and included materials may be inspected at a specified location.

24 (b) The notice shall be published once each week for two (2)
 25 consecutive weeks:

26 (1) with each publication of notice in one (1) newspaper of
 27 general circulation within the local county road and bridge
 28 district; or

29 (2) with the first publication of notice in a newspaper described
 30 in subdivision (1) and the second publication of notice:

31 (A) in accordance with IC 5-3-5; and

32 (B) on the official web site of the county in which the district
 33 is located.

34 **This subsection expires July 1, 2027.**

35 **(c) This subsection applies after June 30, 2027. The notice shall**
 36 **be published in accordance with IC 5-3-1.5 in an eligible**
 37 **publication that is published in or has a verifiable readership**
 38 **within the local county road and bridge district.**

39 ~~(c)~~ (d) The notice shall specify a date, not less than ten (10) days
 40 after the date of last publication, on which the board will conduct a
 41 hearing at which interested or affected parties may object to the
 42 resolution.



1 SECTION 28. IC 10-18-2-9, AS AMENDED BY P.L.152-2021,
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 9. (a) If a county executive has adopted designs
 4 or plans for the construction of world war memorial structures as
 5 provided in section 6 of this chapter, the county executive shall:

6 (1) contract with a reliable contractor for all or any part of the
 7 construction of the world war memorial structure, as provided in
 8 this chapter; and

9 (2) publish a notice informing the public and contractors:

10 (A) of the nature of the structures to be constructed;

11 (B) that the designs and plans are on file in the office of the
 12 county executive; and

13 (C) that sealed proposals for contractors to work on the
 14 construction of the world war memorial are due not earlier
 15 than thirty (30) days from the first published notice.

16 (b) A notice published under subsection (a)(2) shall be published for
 17 at least three (3) consecutive weeks:

18 (1) with each publication of notice in a newspaper of general
 19 circulation published in the county; or

20 (2) with the first publication of notice in a newspaper described
 21 in subdivision (1) and the two (2) subsequent publications:

22 (A) in accordance with IC 5-3-5; and

23 (B) on the county's official web site.

24 **This subsection expires July 1, 2027.**

25 **(c) This subsection applies after June 30, 2027. A notice**
 26 **published under subsection (a)(2) shall be published in accordance**
 27 **with IC 5-3-1.5 in an eligible publication that is published in or has**
 28 **a verifiable readership within the county.**

29 ~~(d)~~ (d) A county executive shall, by order, impose conditions upon:

30 (1) bidders;

31 (2) contractors;

32 (3) subcontractors; and

33 (4) materialmen;

34 with regard to bond and surety and guaranteeing the faithful
 35 completion of work according to contract.

36 ~~(d)~~ (e) All contracts with builders, architects, or materialmen must
 37 reserve to the county executive for good cause shown the right to
 38 cancel a contract and to relet work to others. If a contract is canceled,
 39 at least ten percent (10%) shall be reserved from payments on estimates
 40 on work done in progress until the contracts are completed and the
 41 work done, inspected, and accepted by the county executive.

42 ~~(e)~~ (f) A payment, partial or final, may not be construed as a waiver



1 of defective work or materials or as a release for damages on account
2 of defective work or materials.

3 ~~(f)~~ (g) A surety may not be released from any obligation on its bond
4 if the contractor is paid the whole or any part of the percentages
5 required to be reserved from current estimates. A surety may not be
6 released by any final payment made to the contractor.

7 SECTION 29. IC 10-18-3-2, AS AMENDED BY P.L.152-2021,
8 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2022]: Sec. 2. (a) The board of commissioners of a county or
10 the common council of a city shall, on petition of at least one hundred
11 (100) adult citizens of the county or city, appoint a committee to be
12 known as the memorial committee. The appointments may not be made
13 until after notice of the filing of the petition has been published as
14 **provided in subsection (b) (before July 1, 2027) or subsection (c)**
15 **(after June 30, 2027).**

16 **(b) Notice of the filing of the petition must be published** for at
17 least two (2) weeks, once each week:

18 (1) with each publication of notice made in a newspaper of
19 general circulation in the county or city; or

20 (2) with the first publication of notice made in a newspaper
21 described in subdivision (1) and the second publication of notice:

22 (A) in accordance with IC 5-3-5; and

23 (B) on the official web site of the county or city.

24 **This subsection expires July 1, 2027.**

25 **(c) This subsection applies after June 30, 2027. Notice of the**
26 **filing of the petition must be published in accordance with**
27 **IC 5-3-1.5 in an eligible publication that is published in or has a**
28 **verifiable readership in the county or city.**

29 ~~(b)~~ (d) The committee must have at least five (5) but not more than
30 fifteen (15) members. Each committee member must be a citizen of the
31 county or city in which the memorial is proposed. The members must
32 be appointed based solely upon their fitness, and the committee must
33 include representatives of educational, benevolent, labor, and other
34 interests.

35 ~~(c)~~ (e) The members of the committee serve without compensation.
36 However, the board of commissioners or common council may
37 compensate members for necessary expenses in the performance of
38 their duty, including compensation of expert advisers. The board of
39 commissioners or common council may make an appropriation in
40 advance to compensate members for necessary expenses.

41 ~~(d)~~ (f) The committee shall make a careful study of the subject of a
42 suitable memorial in the county or city and report its conclusions to the



1 board of commissioners or common council. The report must include:

- 2 (1) the kind of memorial regarded by the committee as
 3 appropriate;
 4 (2) the estimated cost of erection and maintenance;
 5 (3) the method of control; and
 6 (4) any other matter the committee considers proper.

7 The committee shall make the report within six (6) months after
 8 appointment, unless a longer time is given by the board of
 9 commissioners or common council. A committee that fails to report
 10 within the time allowed is immediately regarded as dissolved, and the
 11 board of commissioners or common council shall appoint a new
 12 committee. A new committee appointed under this subsection is
 13 governed by the same rule regarding the filing of a report and
 14 dissolution.

15 ~~(e)~~ (g) A vacancy in the committee shall be filled by the board of
 16 commissioners or common council.

17 ~~(f)~~ (h) A county or city in which a memorial committee has been
 18 appointed may not erect or provide for the erection of a memorial until
 19 the committee has made its report.

20 SECTION 30. IC 10-18-3-3, AS AMENDED BY P.L.152-2021,
 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2022]: Sec. 3. (a) Public notice must be provided in the
 23 manner set forth under this section if a petition signed by:

- 24 (1) at least five hundred (500) citizens and taxpayers of a county;
 25 or

26 (2) at least two hundred (200) citizens and taxpayers of a city;
 27 requests the establishment and maintenance within the county or city
 28 of a memorial for the soldiers and sailors of World War I. The petition
 29 must be addressed to the board of commissioners of the county or the
 30 common council of the city and filed in the office of the auditor of the
 31 county or clerk of the city.

32 (b) The auditor or clerk shall:

- 33 (1) publish a notice that includes a copy of the petition or a
 34 summary of the petition in a newspaper of general circulation
 35 printed and published in the county or city;
 36 (2) post a notice that includes a copy of the petition or a summary
 37 of the petition in at least ten (10) public places in the county; and
 38 (3) post a notice that includes a copy of the petition or a summary
 39 of the petition at the door of the county courthouse.

40 Notice under this subsection must also include the day the petition will
 41 be presented to the board. The day of the hearing must be fixed by the
 42 auditor or clerk at least thirty (30) days but not more than forty (40)



1 days after the day of the filing of the petition.

2 (c) Notice of the petition signed by the auditor or clerk must be
3 posted for at least twenty (20) days and published for three (3)
4 consecutive weeks:

5 (1) with each publication of notice in a newspaper of general
6 circulation printed and published in the county or city; or

7 (2) with:

8 (A) the first publication of notice in a newspaper described in
9 subdivision (1); and

10 (B) the two (2) subsequent publications of notice:

11 (i) in accordance with IC 5-3-5; and

12 (ii) on the official web site of the county or city;

13 before the day designated by the auditor or clerk for the hearing. **This**
14 **subsection expires July 1, 2027.**

15 **(d) This subsection applies after June 30, 2027. Notice of the**
16 **petition signed by the auditor or clerk must be posted for at least**
17 **twenty (20) days. The notice must also be published for not less**
18 **than three (3) weeks before the date designated by the auditor or**
19 **clerk for the hearing in accordance with IC 5-3-1.5 in an eligible**
20 **publication that is published in or has a verifiable readership in the**
21 **county or city.**

22 SECTION 31. IC 10-18-4-10, AS AMENDED BY P.L.152-2021,
23 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2022]: Sec. 10. (a) After the board of public works has
25 adopted the necessary designs, plans, and specifications for
26 construction of the World War memorial structures as provided in this
27 chapter, the board of public works shall award contracts for all or any
28 part of the World War memorial structures to competent and reliable
29 contractors as provided in this section.

30 (b) The board of public works shall publish in accordance with
31 subsection (c) a notice:

32 (1) informing the public and contractors of the general nature of
33 the structures to be constructed and of the fact that designs, plans,
34 drawings, and specifications are on file in the office of the board
35 of public works; and

36 (2) calling for sealed proposals for the work on a day not earlier
37 than thirty (30) days from the first of such publications.

38 (c) The notice shall be published for at least three (3) weeks:

39 (1) with each publication of notice in a newspaper of general
40 circulation, printed and published in the English language in the
41 city; or

42 (2) with the first publication of notice in a newspaper described



1 in subdivision (1) and the two (2) subsequent publications of
2 notice:

- 3 (A) in accordance with IC 5-3-5; and
4 (B) on the official web site of the city.

5 **This subsection expires July 1, 2027.**

6 **(d) This subsection applies after June 30, 2027. The notice shall**
7 **be published in accordance with IC 5-3-1.5 in an eligible**
8 **publication that is published in or has a verifiable readership in the**
9 **city.**

10 ~~(d)~~ **(e)** The board of public works shall, by order, impose conditions
11 upon bidders, contractors, subcontractors, and materialmen with regard
12 to bond and surety, guaranteeing the good faith and responsibility of
13 the bidders, contractors, subcontractors, and materialmen and insuring
14 the faithful completion of the work, according to contract, or for any
15 other purpose.

16 ~~(e)~~ **(f)** The board of public works shall reserve ten percent (10%)
17 from payments or estimates on work in progress until the contract is
18 completed and the work done is inspected and accepted by the board.
19 All contracts with contractors, subcontractors, architects, or
20 materialmen must reserve:

- 21 (1) to the board of public works, for good cause shown, the right
22 to cancel the contract and to award the work to others; and
23 (2) at least ten percent (10%) from payments or estimates on work
24 in progress until the contract is completed and the work done is
25 inspected and accepted by the board.

26 ~~(f)~~ **(g)** Payment by the board of public works, partial or final, may
27 not be construed as a waiver of defective work or materials or as a
28 release for damages on account of the defective work or materials. A
29 surety may not be released from any obligation on the surety's bond if
30 a contractor should be paid the whole or any part of the percentage
31 required to be reserved from current estimates. A surety may not be
32 released by any final payment made to a contractor.

33 SECTION 32. IC 13-26-2-2.5, AS AMENDED BY P.L.152-2021,
34 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2022]: Sec. 2.5. (a) Before a representative may file a petition
36 to establish a district, the representative must provide notice to all
37 owners of property to be served by the proposed district that is the
38 subject of the petition.

39 (b) Notice under subsection (a) must be provided as follows:

- 40 (1) Beginning at least thirty (30) days before the date on which a
41 public meeting under subsection (c) is scheduled, by publication
42 of notice for three (3) consecutive weeks:



- 1 (A) with each publication of notice:
 2 (i) in at least two (2) newspapers of general circulation in
 3 each of the counties, in whole or in part, in the proposed
 4 district; or
 5 (ii) if there is only one (1) newspaper of general circulation
 6 in a county, a single publication in one (1) newspaper
 7 satisfies the requirement of this subdivision; or
 8 (B) with the first publication of notice made in a newspaper or
 9 newspapers described in clause (A) and the two (2) subsequent
 10 publications of notice:
 11 (i) in accordance with IC 5-3-5; and
 12 (ii) on the official web site of each county in the proposed
 13 district.

14 **This subdivision expires July 1, 2027.**

15 **(2) This subdivision applies after June 30, 2027. At least thirty**
 16 **(30) days before the date on which a public meeting under**
 17 **subsection (d) is scheduled, by publication of notice in**
 18 **accordance with IC 5-3-1.5:**

- 19 (A) in at least two (2) eligible publications that are
 20 published in or have a verifiable readership in each county
 21 that is, in whole or in part, in the proposed district; or
 22 (B) if there is only one (1) eligible publication that is
 23 published in or has a verifiable readership in a county, a
 24 single publication in one (1) eligible publication satisfies
 25 the requirement of this subdivision.

- 26 ~~(2)~~ (3) Beginning at least fourteen (14) days before the date on
 27 which a public meeting under subsection (c) is scheduled, by:
 28 (A) first class United States mail, postage prepaid, mailed to
 29 each freeholder within the proposed district; and
 30 (B) broadcasting at least three (3) public service
 31 announcements each day for fourteen (14) days on at least two
 32 (2) radio stations operating in each of the counties, in whole or
 33 in part, in the proposed district.

34 (c) After providing notice under subsection (b), a representative that
 35 seeks to file a petition to establish a district must conduct a public
 36 meeting to discuss and receive comments on the proposed district.

- 37 (d) A representative may not file a petition to establish a district:
 38 (1) more than one hundred eighty (180) or less than sixty (60)
 39 days after providing notice under subsection (b); or
 40 (2) less than thirty (30) days after a meeting held under subsection
 41 (c).

42 SECTION 33. IC 13-26-2-6, AS AMENDED BY P.L.152-2021,



1 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2022]: Sec. 6. (a) Except as provided in section 9 of this
3 chapter, the hearing officer shall fix a time and place inside or within
4 ten (10) miles of the proposed district for the hearing on any matter for
5 which a hearing is authorized under this chapter.

6 (b) The hearing officer shall make a reasonable effort to provide
7 notice of the hearing as follows:

8 (1) By publication of notice two (2) times each week for two (2)
9 consecutive weeks:

10 (A) with each notice:

11 (i) published in at least two (2) newspapers of general
12 circulation in each of the counties, in whole or in part, in the
13 district; and

14 (ii) at a minimum, including a legal notice and a
15 prominently displayed three (3) inches by five (5) inches
16 advertisement; or

17 (B) with the first publication of notice in the newspapers
18 described in clause (A) and all subsequent publications of
19 notice:

20 (i) in accordance with IC 5-3-5; and

21 (ii) on the official web site of each of the counties, in whole
22 or in part, in the district.

23 **This subdivision expires July 1, 2027.**

24 **(2) This subdivision applies after June 30, 2027. By**
25 **publication of notice at least two (2) weeks before the hearing**
26 **in accordance with IC 5-3-1.5 in at least two (2) eligible**
27 **publications that are published in or have a verifiable**
28 **readership in each county that is, in whole or in part, in the**
29 **district. The notice in each eligible publication must at a**
30 **minimum include a legal notice and be prominently displayed**
31 **in nine hundred (900) pixels by one thousand five hundred**
32 **(1,500) pixels in the case of a digital advertisement.**

33 ~~(2)~~ (3) By United States mail sent at least two (2) weeks before
34 the hearing to the following:

35 (A) The fiscal and executive bodies of each county with
36 territory in the proposed district.

37 (B) The executive of all other eligible entities with territory in
38 the proposed district, including the executive of a city or town
39 that has:

40 (i) a municipal sewage works under IC 36-9-23; or

41 (ii) a public sanitation department under IC 36-9-25;

42 having extraterritorial jurisdiction within the boundaries of the



- 1 area to be included in the proposed district.
- 2 (C) The state and any of its agencies owning, controlling, or
- 3 leasing land within the proposed district, excluding highways
- 4 and public thoroughfares owned or controlled by the Indiana
- 5 department of transportation.
- 6 (D) Each sewage disposal company holding a certificate of
- 7 territorial authority under IC 8-1-2-89 respecting territory in
- 8 the proposed district.
- 9 ~~(3)~~ **(4)** By making a reasonable effort to provide notice of the
- 10 hearing by regular United States mail, postage prepaid, mailed at
- 11 least two (2) weeks before the hearing to each freeholder within
- 12 the proposed district.
- 13 ~~(4)~~ **(5)** By including the date on which the hearing is to be held
- 14 and a brief description of:
- 15 (A) the subject of the petition, including a description of the
- 16 general boundaries of the area to be included in the proposed
- 17 district; and
- 18 (B) the locations where copies of the petition are available for
- 19 viewing.
- 20 SECTION 34. IC 13-26-2-9, AS AMENDED BY P.L.263-2013,
- 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2022]: Sec. 9. (a) If the department of natural resources has
- 23 filed a petition, the commissioner may waive the requirement for notice
- 24 and hearing provided in section 6 of this chapter.
- 25 (b) If the commissioner waives the notice and hearing requirement,
- 26 the hearing officer shall give written notice in the manner provided
- 27 under section ~~6(b)(2)~~ **or 6(b)(3) or 6(b)(4)** of this chapter. Each
- 28 recipient of notice has thirty (30) days from the mailing of the notice
- 29 within which to file objections or material with the hearing officer.
- 30 (c) The hearing officer shall then proceed to make findings and
- 31 recommendations as provided in section 8 of this chapter, based upon
- 32 any material:
- 33 (1) received by the hearing officer; or
- 34 (2) obtained at the hearing officer's discretion through the hearing
- 35 officer's own investigation.
- 36 SECTION 35. IC 13-26-5-6.5, AS AMENDED BY P.L.152-2021,
- 37 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2022]: Sec. 6.5. A district that intends to extend service within
- 39 its territory shall provide notice to all owners of property to be served
- 40 by the proposed extension of service in the following manner not later
- 41 than sixty (60) days from the date of the decision to extend service:
- 42 (1) By publication one (1) time each week for three (3)



- 1 consecutive weeks:
- 2 (A) with each publication of notice:
- 3 (i) in at least two (2) newspapers of general circulation in
- 4 each of the counties, in whole or in part, of the district
- 5 affected by the proposed extension of service; or
- 6 (ii) if there is only one (1) newspaper of general circulation
- 7 in a county, a single publication satisfies the requirement of
- 8 this subdivision; or
- 9 (B) with the first publication of notice made in a newspaper or
- 10 newspapers described in clause (A) and the two (2) subsequent
- 11 publications of notice:
- 12 (i) in accordance with IC 5-3-5; and
- 13 (ii) on the official web site of the district.

14 **This subdivision expires July 1, 2027.**

15 **(2) This subdivision applies after June 30, 2027. By**
16 **publication in accordance with IC 5-3-1.5:**

- 17 (A) in at least two (2) eligible publications that are
- 18 published in or have a verifiable readership in each of the
- 19 counties, in whole or in part, of the district affected by the
- 20 proposed extension of service; or
- 21 (B) if there is only one (1) eligible publication that is
- 22 published in or has a verifiable readership in a county, in
- 23 a single publication satisfies the requirement of this
- 24 subdivision.

25 ~~(2)~~ (3) By United States mail, postage prepaid, mailed to each
26 freeholder within the territory to which the district proposes to
27 extend service.

28 SECTION 36. IC 13-26-11-12, AS AMENDED BY P.L.152-2021,
29 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2022]: Sec. 12. (a) After introduction of the ordinance initially
31 fixing rates or charges but before the ordinance is finally adopted,
32 notice of the hearing setting forth the proposed schedule of the rates or
33 charges must be given by publication.

34 (b) **Notice of the hearing must be published** one (1) time each
35 week for two (2) weeks:

- 36 (1) with each publication of notice in a newspaper of general
- 37 circulation in each of the counties with territory in the district; or
- 38 (2) with the first publication of notice in a newspaper described
- 39 in subdivision (1) and the second publication of notice:
- 40 (A) in accordance with IC 5-3-5; and
- 41 (B) on the official web site of the district.

42 The last publication must be at least seven (7) days before the date



1 fixed in the notice for the hearing. The hearing may be adjourned as
2 necessary. **This subsection expires July 1, 2027.**

3 **(c) This subsection applies after June 30, 2027. Notice of the**
4 **hearing must be published in accordance with IC 5-3-1.5 in an**
5 **eligible publication that is published in or has a verifiable**
6 **readership in each county with territory in the district at least**
7 **twenty-one (21) days before the date fixed in the notice for the**
8 **hearing. The hearing may be adjourned as necessary.**

9 SECTION 37. IC 14-26-8-7, AS AMENDED BY P.L.152-2021,
10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2022]: Sec. 7. (a) Within ten (10) days after the filing of a
12 petition, the clerk shall docket the petition as a cause of action pending
13 in the circuit or superior court. The clerk shall cause notice to be given
14 at least thirty (30) days before the date set for the hearing as follows:

15 (1) By publication one (1) time each week for two (2) consecutive
16 weeks:

17 (A) with each publication:

18 (i) in not less than two (2) newspapers of general circulation
19 published in each county in which the lake is located; or

20 (ii) if there are not two (2) newspapers of general circulation
21 published in a county, in one (1) newspaper of general
22 circulation published in the county; or

23 (B) with the first publication of notice in a newspaper or
24 newspapers described in clause (A) and the second publication
25 of notice:

26 (i) in accordance with IC 5-3-5; and

27 (ii) on the official web site of each county in which the lake
28 is located.

29 **This subdivision expires July 1, 2027.**

30 **(2) This subdivision applies after June 30, 2027. By**
31 **publication in accordance with IC 5-3-1.5:**

32 **(A) in not less than two (2) eligible publications that are**
33 **published in or have a verifiable readership in each county**
34 **in which the lake is located; or**

35 **(B) if two (2) eligible publications are not published in or**
36 **have a verifiable readership in a county, in one (1) eligible**
37 **publication published in or having a verifiable readership**
38 **in the county.**

39 ~~(2)~~ **(3)** By posting a written or printed notice at the door of the
40 courthouse in each county in which the lake lies.

41 ~~(3)~~ **(4)** By sending written notice to the following:

42 (A) The county surveyor and county commissioners of each



- 1 county affected.
- 2 (B) The department.
- 3 (b) The notice must do the following:
- 4 (1) Briefly describe the location and nature of the proposed work
- 5 contained in the petition.
- 6 (2) Fix a day for the hearing on the petition.
- 7 SECTION 38. IC 14-28-4-21, AS AMENDED BY P.L.152-2021,
- 8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2022]: Sec. 21. (a) After the commission submits the final
- 10 report, the legislative body of the county or municipality shall give all
- 11 interested persons an opportunity to be heard with reference to the final
- 12 report at a public hearing convenient for all persons affected. The
- 13 legislative body shall publish notice of the hearing in a daily newspaper
- 14 of general circulation in the county or municipality.
- 15 (b) The notice must state the following:
- 16 (1) The time and place of the hearing.
- 17 (2) That the report contains a flood plain zoning ordinance for the
- 18 county or municipality.
- 19 (3) That written objections to the proposed zoning ordinance filed
- 20 with the clerk of the legislative body at or before the hearings will
- 21 be heard.
- 22 (4) That the hearing will be continued as is necessary.
- 23 (c) The notice shall be published at least two (2) times within the
- 24 ten (10) days before the time set for the hearing:
- 25 (1) with each publication in a daily newspaper of general
- 26 circulation in the county or municipality; or
- 27 (2) with the first publication of notice in a newspaper described
- 28 in subdivision (1) and the second publication of notice:
- 29 (A) in accordance with IC 5-3-5; and
- 30 (B) on the official web site of the county or municipality.
- 31 During the ten (10) day period, the proposed zoning ordinance shall be
- 32 kept on file in the office of the commission or other designated place
- 33 for public examination. **This subsection expires July 1, 2027.**
- 34 **(d) This subsection applies after June 30, 2027. The notice shall**
- 35 **be published in accordance with IC 5-3-1.5 not more than ten (10)**
- 36 **days before the time set for the hearing. Each publication shall be**
- 37 **in an eligible publication that is published in or has a verifiable**
- 38 **readership in the county or municipality. During the ten (10) day**
- 39 **period, the proposed zoning ordinance shall be kept on file in the**
- 40 **office of the commission or other designated place for public**
- 41 **examination.**
- 42 (d) (e) Upon completion of the public hearing, the legislative body



1 shall proceed to consider the ordinance.

2 SECTION 39. IC 14-33-2-12, AS AMENDED BY P.L.152-2021,
3 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 12. (a) This subsection applies only to a petition
5 by freeholders. The petitioners shall give notice of hearing on the
6 petition as follows:

7 (1) By publication in two (2) newspapers of general circulation in
8 each county having land in the proposed district, three (3) times
9 at successive weekly intervals. The first publication must be at
10 least thirty (30) days before the date of the hearing. If there is only
11 one (1) newspaper of general circulation in a county, three (3)
12 publications in that newspaper are sufficient.

13 **This subdivision expires July 1, 2027.**

14 **(2) This subdivision applies after June 30, 2027. By**
15 **publication in accordance with IC 5-3-1.5 in two (2) eligible**
16 **publications that are published in or have a verifiable**
17 **readership in each county having land in the proposed district**
18 **at least thirty (30) days before the date of the hearing. If there**
19 **is only one (1) eligible publication that is published in or has**
20 **a verifiable readership in a county, publication in that eligible**
21 **publication are sufficient.**

22 ~~(2)~~ (3) By mailing a copy of the notice at least twenty (20) days
23 before the date of the hearing, first class postage prepaid, to each
24 freeholder who has not signed the petition and who owns land in
25 the proposed district, according to the records of the county
26 auditor. The person having the notice mailed shall file an affidavit
27 with the court showing the following:

28 (A) The names of the persons to whom notice was sent.

29 (B) The address to which the notice was sent.

30 (C) The date on which the notice was mailed.

31 (b) This subsection applies only to a petition by a municipality
32 under section 7 of this chapter. The municipality shall give notice of
33 hearing as follows:

34 (1) By publication for three (3) consecutive weeks:

35 (A) with each publication of notice in two (2) newspapers of
36 general circulation in each county having land in the proposed
37 district or if there is only one (1) newspaper, publication in
38 that newspaper is sufficient; or

39 (B) with the first publication of notice made in a newspaper or
40 newspapers described in clause (A) and the two (2) subsequent
41 publications of notice:

42 (i) in accordance with IC 5-3-5; and



- 1 (ii) on the official web site of the municipality.
 2 The first publication of notice must be at least thirty (30) days
 3 before the date of the hearing. **This subdivision expires July 1,**
 4 **2027.**
- 5 **(2) This subdivision applies after June 30, 2027. By**
 6 **publication three (3) weeks before the hearing in accordance**
 7 **with IC 5-3-1.5 in two (2) eligible publications that are**
 8 **published in or have a verifiable readership in each county**
 9 **having land in the proposed district. If there is only one (1)**
 10 **eligible publication that is published in or has a verifiable**
 11 **readership in a county, publication in that eligible publication**
 12 **is sufficient.**
- 13 ~~(2)~~ **(3)** By mailing a copy of the notice at least twenty (20) days
 14 before the date of the hearing, first class postage prepaid, to each
 15 freeholder who has not signed the petition and who owns land in
 16 the proposed district, according to the records of the county
 17 auditor. The person having the notice mailed shall file an affidavit
 18 with the court showing the following:
- 19 (A) The names of the persons to whom notice was sent.
 20 (B) The address to which the notice was sent.
 21 (C) The date on which the notice was mailed.
- 22 SECTION 40. IC 14-33-10-2, AS AMENDED BY P.L.152-2021,
 23 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2022]: Sec. 2. (a) The board shall give notice by publication
 25 once a week for two (2) successive weeks:
- 26 (1) with each publication of notice:
- 27 (A) in two (2) newspapers of general circulation in each
 28 county having land in the district; or
 29 (B) in one (1) newspaper in the county if there is only one (1)
 30 newspaper of general circulation; or
- 31 (2) with the first publication of notice in the newspaper or
 32 newspapers as provided in subdivision (1), and the second
 33 publication of notice:
- 34 (A) in accordance with IC 5-3-5; and
 35 (B) on the official web site of the district.
- 36 The notice shall state the date that assessments are due and payable not
 37 later than sixty (60) days after the date of the last publication. **This**
 38 **subsection expires July 1, 2027.**
- 39 **(b) This subsection applies after June 30, 2027. The board shall**
 40 **give two weeks' notice by publication in accordance with**
 41 **IC 5-3-1.5:**
- 42 **(A) in two (2) eligible publications that are published in or**



1 **have a verifiable readership in each county having land in the**
 2 **district; or**

3 **(B) in one (1) eligible publication in the county, if there is only**
 4 **one (1) eligible publication that is published in or has a**
 5 **verifiable readership in the county.**

6 ~~(b)~~ (c) Payment of assessments shall be made at:

7 (1) the office of the board; or

8 (2) if the court orders, the offices of the treasurers of the counties.

9 ~~(c)~~ (d) The owners of real property assessed for exceptional benefits
 10 are entitled to make payment in full unless exceptional benefits are
 11 assessed annually and paid with special benefits taxes to the county
 12 treasurer. If payment is made in full, the board shall do the following:

13 (1) Note the payment in the assessment roll in the board's office.

14 (2) Give a receipt to the landowner paying the assessment.

15 (3) Enter satisfaction of the lien of the assessment in the
 16 appropriate record in the office of the recorder where the
 17 assessment is recorded.

18 ~~(d)~~ (e) The payment of the assessment does not relieve the real
 19 property from being subject to the following:

20 (1) A special benefits tax.

21 (2) An annual assessment for maintenance and operation based
 22 upon the original exceptional benefit assessment.

23 SECTION 41. IC 14-33-16-5, AS AMENDED BY P.L.152-2021,
 24 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 5. (a) Within ten (10) days after the board certifies
 26 to the court, the board shall fix the following:

27 (1) A convenient and suitable place for the election.

28 (2) The date for the election not less than fifteen (15) and not
 29 more than thirty (30) days after the last publication of notice. **This**
 30 **subdivision expires July 1, 2027.**

31 **(3) This subdivision applies after June 30, 2027. The date for**
 32 **the election is not less than fifteen (15) days or more than**
 33 **thirty (30) days after the first date that notice is published.**

34 (b) The voting place must open at 9 a.m. local time and remain open
 35 for balloting continuously until 9 p.m. local time. However, if the
 36 district contains freeholds too numerous for freeholder balloting at a
 37 single voting place while allowing each freeholder a reasonable time
 38 but not exceeding two (2) minutes to cast a ballot, the board shall fix
 39 and arrange for multiple voting places as appears necessary to
 40 accommodate the freeholders eligible to vote.

41 (c) Notice of the time, place, and purpose for the election must be
 42 given on the same day of each week for two (2) consecutive weeks:



1 (1) with each publication of notice in an English language
 2 newspaper of general circulation published in each county having
 3 land in the district; or

4 (2) with the first publication of notice made in the newspaper or
 5 newspapers described in subdivision (1), and the second
 6 publication of notice:

7 (A) in accordance with IC 5-3-5; and

8 (B) on the official web site of the district.

9 **This subsection expires July 1, 2027.**

10 **(d) This subsection applies after June 30, 2027. Notice of the**
 11 **time, place, and purpose for the election must be published in**
 12 **accordance with IC 5-3-1.5 in an eligible publication that is**
 13 **published in or has a verifiable readership in each county having**
 14 **land in the district.**

15 SECTION 42. IC 14-33-16.5-6, AS AMENDED BY P.L.152-2021,
 16 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2022]: Sec. 6. (a) Not later than ten (10) days after receipt of
 18 a notice under section 5 of this chapter, the board of directors of the
 19 smaller district shall fix the following:

20 (1) A convenient and suitable place for the smaller district's
 21 election.

22 (2) The date for the election that is at least sixty (60) days after
 23 the date on which the county auditor notifies the smaller district's
 24 board under section 5 of this chapter.

25 (b) The voting place must open at 9 a.m. local time and remain open
 26 for balloting continuously until 9 p.m. local time. If the number of
 27 freeholders in the smaller district is too great for balloting at a single
 28 voting place while allowing each freeholder a reasonable time to cast
 29 a ballot, the board shall arrange for the number of voting places
 30 necessary to accommodate the freeholders eligible to vote.

31 (c) Notice of the date, time, place, and purpose of the election must
 32 be given for two (2) consecutive weeks:

33 (1) with each publication of notice in an English language
 34 newspaper of general circulation published in each county having
 35 land in the smaller district; or

36 (2) with the first publication of notice in the newspaper or
 37 newspapers described in subdivision (1), and the second
 38 publication of notice:

39 (A) in accordance with IC 5-3-5; and

40 (B) on the official web site of the smaller district.

41 The last publication may not be less than fifteen (15) days and not more
 42 than thirty (30) days before the date of the election. **This subsection**



1 expires July 1, 2027.

2 (d) This subsection applies after June 30, 2027. Notice of the
3 date, time, place, and purpose of the election must be published in
4 accordance with IC 5-3-1.5 in an eligible publication that is
5 published in or has a verifiable readership in each county having
6 land in the smaller district. The first date of publication of the
7 notice must be not less than fifteen (15) days or more than thirty
8 (30) days before the date of the election.

9 (d) (e) The board of directors of the smaller district shall also cause
10 individual notice of the election to be given to all the smaller district's
11 freeholders by first class mail.

12 (e) (f) The notice published under subsection (c) (before July 1,
13 2027) or subsection (d) (after June 30, 2027) and the individual
14 freeholder notice mailed under subsection (d) (e) must be in the
15 following form:

16 Notice of a Dissolution and Assumption Election
17 to the Freeholders of the _____
18 (insert smaller district) Conservancy District

19 1. You are a freeholder (i.e. a real property owner) of the
20 _____ (insert smaller district) Conservancy District. As a
21 freeholder, you are one of the owners of the _____ (insert
22 smaller district) Conservancy District.

23 2. A legally required number of the freeholders of the
24 _____ (insert smaller district) Conservancy District has
25 filed a petition with the _____ (insert county name)
26 County Auditor requesting that the _____ (insert smaller
27 district) Conservancy District be dissolved, and that the operation,
28 obligations, and assets of the _____ (insert smaller district)
29 Conservancy District be assumed by the _____ (insert larger
30 district) Conservancy District.

31 3. The _____ (insert larger district) Conservancy District
32 is contiguous to, has the same purpose as, and has a greater number of
33 freeholders than the _____ (insert smaller district)
34 Conservancy District.

35 4. The Board of Directors of the _____ (insert larger
36 district) Conservancy District has passed a resolution stating:

37 A. That the _____ (insert larger district) Conservancy
38 District is willing to assume the operation, obligations, and assets
39 of the _____ (insert smaller district) Conservancy
40 District; and

41 B. That upon becoming part of the _____ (insert
42 larger district) Conservancy District, the freeholders of the



1 _____ (insert smaller district) Conservancy District
 2 will become full and equal freeholders of the _____
 3 (insert larger district) Conservancy District and be subject to and
 4 pay the same special benefits taxes and user charges generally
 5 charged by the (insert larger district) Conservancy District.
 6 5. An election of the freeholders of the _____ (insert
 7 smaller district) Conservancy District is set for the day of
 8 _____, _____, from 9:00 a.m. to 9:00 p.m., at the following
 9 location(s): _____.
 10 6. The question presented for the election is whether the
 11 _____ (insert smaller district) Conservancy District should
 12 be dissolved, and whether the _____ (insert larger district)
 13 Conservancy District should assume the operations, obligations, and
 14 assets of the _____ (insert smaller district) Conservancy
 15 District.
 16 7. A majority of the votes cast at the election will determine the
 17 question of whether the _____ (insert smaller district)
 18 Conservancy District should be dissolved, and whether the
 19 _____ (insert larger district) Conservancy District should
 20 assume the operations, obligations, and assets of the _____
 21 (insert smaller district) Conservancy District.
 22 8. As a freeholder of the _____ (insert smaller district)
 23 Conservancy District, you are entitled to and encouraged to vote at the
 24 election.
 25 /ss/ Board of Directors, _____
 26 (insert smaller district) Conservancy District
 27 ~~(f)~~ (g) If the board of directors of the smaller district fails to hold the
 28 election as required by this chapter, the county auditor of the county in
 29 which the smaller district's petition was filed shall:
 30 (1) conduct the election as required by this chapter; and
 31 (2) bill the board of directors of the smaller district for the county
 32 auditor's costs incurred for the election.
 33 ~~(g)~~ (h) The board of directors of the smaller district shall promptly
 34 pay a bill submitted to the smaller district under subsection ~~(f)~~: (g).
 35 SECTION 43. IC 14-33-17-7, AS AMENDED BY P.L.152-2021,
 36 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2022]: Sec. 7. (a) The petitioners shall give notice of the time,
 38 place, and purpose for the election:
 39 (1) by publication for two (2) consecutive weeks:
 40 (A) with each publication of notice on the same day of each
 41 week in an English language newspaper of general circulation
 42 published in the county; or



1 (B) with the first publication of notice made in the newspaper
 2 described in clause (A), and the second publication of notice:
 3 (i) in accordance with IC 5-3-5; and
 4 (ii) on the official web site of the county; and
 5 (2) by mail at least twenty (20) days before the date of the
 6 election, first class postage prepaid, to each freeholder who has
 7 not signed the petition and who owns land in the proposed district
 8 according to the records of the county auditor.

9 **This subsection expires July 1, 2027.**

10 **(b) This subsection applies after June 30, 2027. The petitioners**
 11 **shall give notice of the time, place, and purpose for the election:**

12 **(1) by publication at least two (2) weeks before the election in**
 13 **accordance with IC 5-3-1.5 in an eligible publication that is**
 14 **published in or has a verifiable readership in the county; and**

15 **(2) by mail at least twenty (20) days before the date of the**
 16 **election, first class postage prepaid, to each freeholder who:**

17 **(A) has not signed the petition; and**

18 **(B) owns land in the proposed district according to the**
 19 **records of the county auditor.**

20 SECTION 44. IC 14-34-6-7, AS AMENDED BY P.L.152-2021,
 21 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2022]: Sec. 7. (a) After a permit is issued, the permittee may
 23 apply to the director for the release of all or part of the bond or deposit.
 24 As part of the bond release application, the permittee must do the
 25 following:

26 (1) Submit copies of letters that the permittee has sent by certified
 27 mail to:

28 (A) adjoining property owners;

29 (B) local government bodies;

30 (C) planning agencies;

31 (D) sewage and water treatment authorities; or

32 (E) water companies;

33 in the county in which the surface coal mining and reclamation
 34 operation is located notifying the entities of the bond release
 35 application.

36 (2) Within thirty (30) days after filing the bond release
 37 application, submit a copy of an advertisement placed at least one

38 (1) time a week for four (4) successive weeks in a newspaper of
 39 general circulation in the county in which the surface coal mining
 40 and reclamation operation is located. The advertisement must
 41 contain the following:

42 (A) A notification of the precise location of the land affected.



- 1 (B) The number of acres.
 2 (C) The permit and the date of approval.
 3 (D) The amount of the bond filed and the part sought to be
 4 released.
 5 (E) The type and appropriate dates of reclamation work
 6 performed.
 7 (F) A description of the results achieved relating to the
 8 operator's approved reclamation plan.
 9 **This subdivision expires July 1, 2027.**
 10 **(3) This subdivision applies after June 30, 2027. Not later than**
 11 **thirty (30) days after filing the bond release application,**
 12 **submit a copy of an advertisement published in accordance**
 13 **with IC 5-3-1.5 in an eligible publication that is published in**
 14 **the county in which the surface coal mining and reclamation**
 15 **operation is located. The advertisement must contain the**
 16 **following:**
 17 (A) A notification of the precise location of the land
 18 affected.
 19 (B) The number of acres.
 20 (C) The permit and the date of approval.
 21 (D) The amount of the bond filed and the part sought to be
 22 released.
 23 (E) The type and appropriate dates of reclamation work
 24 performed.
 25 (F) A description of the results achieved relating to the
 26 operator's approved reclamation plan.
 27 (b) The director may initiate an application for the release of a bond.
 28 If a bond release application is initiated by the director, the department
 29 shall perform the notification and certification requirements otherwise
 30 imposed on the permittee under this section and section 8 of this
 31 chapter. However, the department may provide notice by publication
 32 under subsection (a)(2):
 33 (1) with each publication of notice in the newspaper described in
 34 subsection (a)(2); or
 35 (2) with the first publication of notice in the newspaper described
 36 in subsection (a)(2) and the three (3) subsequent publications of
 37 notice:
 38 (A) in accordance with IC 5-3-5; and
 39 (B) on the official web site of the county in which the surface
 40 coal mining and reclamation operation is located.
 41 **This subsection expires July 1, 2027.**
 42 **(c) This subsection applies after June 30, 2027. The director may**



1 **initiate an application for the release of a bond. If a bond release**
 2 **application is initiated by the director, the department shall**
 3 **perform the notification and certification requirements otherwise**
 4 **imposed on the permittee under this section and section 8 of this**
 5 **chapter. However, the department may provide notice by**
 6 **publication under subsection (a)(3) with each publication of notice**
 7 **in the eligible publication described in subsection (a)(3).**

8 SECTION 45. IC 14-34-6-11, AS AMENDED BY P.L.152-2021,
 9 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2022]: Sec. 11. (a) If written objections are filed and a hearing
 11 requested under section 10 of this chapter, the director shall do the
 12 following:

13 (1) Inform all the interested parties of the date, time, and location
 14 of the hearing.

15 (2) Publish notice of the information one (1) time each week for
 16 two (2) consecutive weeks:

17 (A) with each publication of notice in a newspaper of general
 18 circulation in the county where the surface coal mining and
 19 reclamation operation proposed for bond release is located; or

20 (B) with the first publication of notice in the newspaper
 21 described in clause (A) and the second publication of notice:

22 (i) in accordance with IC 5-3-5; and

23 (ii) on the official web site of the county where the surface
 24 coal mining and reclamation operation proposed for bond
 25 release is located.

26 **This subsection expires July 1, 2027.**

27 **(b) This subsection applies after June 30, 2027. If written**
 28 **objections are filed and a hearing is requested under section 10 of**
 29 **this chapter, the director shall do the following:**

30 **(1) Inform all interested parties of the date, time, and location**
 31 **of the hearing.**

32 **(2) Publish notice of the information in accordance with**
 33 **IC 5-3-1.5 in an eligible publication that is published in the**
 34 **county where the surface coal mining and reclamation**
 35 **operation proposed for bond release is located.**

36 ~~(b)~~ **(c)** The director shall hold the public hearing in accordance with
 37 IC 14-34-4-5:

38 (1) in the county where the surface coal mining and reclamation
 39 operation proposed for bond release is located; or

40 (2) at the state capital;

41 at the option of the objector, within thirty (30) days of the request for
 42 the hearing.



1 ~~(c)~~ **(d)** At a hearing held under this section, the director may inspect
2 the land affected and other surface coal mining operations carried on
3 by the applicant in the vicinity.

4 ~~(d)~~ **(e)** The director shall notify the permittee in writing of the
5 decision and findings of the hearing within thirty (30) days of the
6 completion of the hearing.

7 ~~(e)~~ **(f)** The director's decision is subject to IC 4-21.5.

8 SECTION 46. IC 20-23-5-9, AS AMENDED BY P.L.152-2021,
9 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2022]: Sec. 9. (a) The notice by publication required by
11 section 8 of this chapter shall be made two (2) times a week apart:

12 (1) with each notice by publication in two (2) daily newspapers of
13 general circulation, published in the English language and of
14 general circulation in the acquiring school corporation and in the
15 losing school corporation; or

16 (2) with the first publication of notice in the newspapers
17 described in subdivision (1) and the second publication of notice:

18 (A) in accordance with IC 5-3-5; and

19 (B) on the official web sites of the acquiring school
20 corporation and the losing school corporation.

21 (b) If there is only one (1) or no daily newspaper in either school
22 corporation, a weekly newspaper may be used.

23 (c) If there is only one (1) daily or weekly newspaper, publication
24 in the newspaper is sufficient.

25 (d) If a newspaper is of general circulation in both the acquiring
26 school corporation and the losing school corporation, publication in the
27 newspaper qualifies as one (1) of the required publications in the
28 acquiring school corporation and the losing school corporation.

29 (e) Publication in a newspaper may be made jointly by the losing
30 school corporation and acquiring school corporation.

31 (f) The remonstrance period runs from the second publication.

32 **(g) This section expires July 1, 2027.**

33 SECTION 47. IC 20-23-5-9.5 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2022]: **Sec. 9.5. (a) This section applies after
36 June 30, 2027.**

37 **(b) As used in this section, "eligible publication" has the
38 meaning set forth in IC 5-3-1-0.3.**

39 **(c) Except as otherwise provided in this section, the notice by
40 publication required by section 8 of this chapter shall be made in
41 accordance with IC 5-3-1.5 in two (2) eligible publications that are
42 published in the acquiring school corporation and in the losing**



1 school corporation. If there is no eligible publication that is
 2 published in the school corporation, publication shall be made in
 3 an eligible publication in the county in which the school
 4 corporation is located and has a verifiable readership in the school
 5 corporation.

6 (d) If an eligible publication has a verifiable readership in both
 7 the acquiring school corporation and the losing school corporation,
 8 publication in the eligible publication qualifies as one (1) of the
 9 required publications in the acquiring school corporation and the
 10 losing school corporation.

11 (e) Publication of notice in an eligible publication may be made
 12 jointly by the losing school corporation and acquiring school
 13 corporation.

14 (f) A remonstrance may be filed not earlier than fourteen (14)
 15 days after the first date that notice is published.

16 SECTION 48. IC 20-23-6-3, AS AMENDED BY P.L.152-2021,
 17 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2022]: Sec. 3. (a) If the governing bodies of at least two (2)
 19 school corporations desire to consolidate school corporations, the
 20 governing bodies may meet together and adopt a joint resolution
 21 declaring intention to consolidate school corporations. The resolution
 22 must set out the following information concerning the proposed
 23 consolidation:

24 (1) The name of the proposed new school corporation.

25 (2) The number of members on the governing body and the
 26 manner in which they shall be elected or appointed.

27 (A) If members are to be elected, the resolution must provide
 28 for:

29 (i) the manner of the nomination of members;

30 (ii) who shall constitute the board of election
 31 commissioners;

32 (iii) who shall appoint inspectors, judges, clerks, and
 33 sheriffs; and

34 (iv) any other provisions desirable in facilitating the
 35 election.

36 (B) Where applicable and not in conflict with the resolution,
 37 the election is governed by the general election laws of
 38 Indiana, including the registration laws.

39 (3) Limitations on residences, term of office, and other
 40 qualifications required of the members of the governing body. A
 41 resolution may not provide for an appointive or elective term of
 42 more than four (4) years. A member may succeed himself or



- 1 herself in office.
- 2 (4) Names of present school corporations that are to be merged
3 together as a consolidated school corporation.
- 4 In addition, the resolution may specify the time when the consolidated
5 school corporation comes into existence.
- 6 (b) The number of members on the governing body as provided in
7 the resolution may not be less than three (3) or more than seven (7).
8 However, the joint resolution may provide for a board of nine (9)
9 members if the proposed consolidated school corporation is formed out
10 of two (2) or more school corporations that:
- 11 (1) have entered into an interlocal agreement to construct and
12 operate a joint high school; or
13 (2) are operating a joint high school that has an enrollment of at
14 least six hundred (600) in grades 9 through 12 at the time the joint
15 resolution is adopted.
- 16 (c) The members of the governing body shall, after adopting a joint
17 resolution, give notice by publication once each week for two (2)
18 consecutive weeks:
- 19 (1) with each notice by publication in a newspaper of general
20 circulation, if any, in each of the school corporations, or, if a
21 newspaper is not published in the school corporation, publication
22 shall be made in the nearest newspaper published in the county in
23 which the school corporation is located; or
24 (2) with the first publication of notice in the newspaper or
25 newspapers as provided in subdivision (1) and the second
26 publication of notice:
- 27 (A) in accordance with IC 5-3-5; and
28 (B) on the official web sites of each of the school corporations.
- 29 **This subsection expires July 1, 2027.**
- 30 **(d) This subsection applies after June 30, 2027. The members of**
31 **the governing body shall, after adopting a joint resolution, give**
32 **notice by publication in accordance with IC 5-3-1.5, with each**
33 **notice in an eligible publication that:**
- 34 **(1) is published in or has a verifiable readership in each of the**
35 **school corporations; or**
36 **(2) if there is no eligible publication that is published in or has**
37 **a verifiable readership in the school corporation, is published**
38 **in or has a verifiable readership in the county in which the**
39 **school corporation is located.**
- 40 ~~(d)~~ (e) The governing bodies of school corporations shall hold a
41 public meeting one (1) week after the date of the appearance of the last
42 publication of notice of intention to consolidate.



1 (e) (f) If a protest has not been filed, as provided in this chapter, the
 2 governing bodies shall declare by joint resolution the consolidation of
 3 the school corporations to be accomplished, to take effect as provided
 4 in section 8 of this chapter. However, on or before the sixth day
 5 following the last publication of the notice of intention to consolidate,
 6 twenty percent (20%) of the legal voters residing in any school
 7 corporation may petition the governing body of the school corporations
 8 for an election to determine whether or not the majority of the voters
 9 of the school corporation is in favor of consolidation.

10 SECTION 49. IC 20-23-6-5, AS AMENDED BY P.L.152-2021,
 11 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 5. (a) If a petition is filed in one (1) or more of the
 13 school corporations protesting consolidation as provided in this chapter
 14 by the legal voters of any school corporation the governing body of
 15 which proposes to consolidate, the governing body in each school
 16 corporation in which a protest petition is filed shall certify the public
 17 question to each county election board of the county in which the
 18 school corporation is located. The county election board shall call an
 19 election of the voters of the school corporation to determine if a
 20 majority of the legal voters of the corporation is in favor of
 21 consolidating the school corporations.

22 (b) If a protest is filed in more than one (1) school corporation, the
 23 elections shall be held on the same day. Each county election board
 24 shall give notice by publication once each week for two (2) consecutive
 25 weeks:

26 (1) with each notice by publication in a newspaper of general
 27 circulation in the school corporation, or, if a newspaper is not
 28 published in the:

29 (A) township;

30 (B) town; or

31 (C) city;

32 the notice shall be published in the nearest newspaper published
 33 in the county or counties; or

34 (2) with the first publication of notice in the newspaper or
 35 newspapers as provided in subdivision (1) and the second
 36 publication of notice:

37 (A) in accordance with IC 5-3-5; and

38 (B) on the official web site of the school corporation.

39 Each notice shall state that on a day and at an hour to be named in the
 40 notice, the polls will be open at the usual voting places in the various
 41 precincts in the corporation for taking the vote of the legal voters upon
 42 whether the school corporation shall be consolidated with the other



1 school corporations joining in the resolution. **This subsection expires**
 2 **July 1, 2027.**

3 **(c) This subsection applies after June 30, 2027. If a protest is**
 4 **filed in more than one (1) school corporation, the elections shall be**
 5 **held on the same day. Each county election board shall give two (2)**
 6 **weeks notice of the election by publication in accordance with**
 7 **IC 5-3-1.5, in an eligible publication that:**

8 **(1) is published in or has a verifiable readership in the school**
 9 **corporation; or**

10 **(2) if there is no eligible publication that is published in or has**
 11 **a verifiable readership in the township, town, or city, is**
 12 **published in or has a verifiable readership in the county or**
 13 **counties.**

14 **The notice shall state that on a day and at an hour to be named in**
 15 **the notice, the polls will be open at the usual voting places in the**
 16 **various precincts in the corporation for taking the vote of the legal**
 17 **voters upon whether the school corporation shall be consolidated**
 18 **with the other school corporations joining in the resolution.**

19 ~~(d)~~ **(d)** The public question shall be placed on the ballot in the form
 20 provided by IC 3-10-9-4 and must state: "Shall (insert name of school
 21 corporation) be consolidated with (insert names of other school
 22 corporations)?".

23 ~~(e)~~ **(e)** Notice shall be given not later than thirty (30) days after the
 24 petition is filed. The election shall be held not less than ten (10) days
 25 or more than twenty (20) days after the last publication of the notice.

26 ~~(f)~~ **(f)** The governing body of each school corporation in which an
 27 election is held is bound by the majority vote of those voting. However,
 28 if the election falls within a period of not more than six (6) months
 29 before a primary or general election, the election shall be held
 30 concurrently with the primary or general election if the public question
 31 is certified to the county election board not later than the deadline set
 32 forth in IC 3-10-9-3.

33 ~~(g)~~ **(g)** If a majority of those voting in any one (1) school corporation
 34 votes against the plan of consolidation, the plan fails. However, the
 35 failure does not prevent any or all the school corporations from taking
 36 further initial action for the consolidation of school corporations under
 37 this chapter.

38 SECTION 50. IC 20-23-6-5.5, AS AMENDED BY P.L.152-2021,
 39 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 5.5. (a) If twenty percent (20%) of the legal voters
 41 residing in any school corporation jointly with twenty percent (20%) of
 42 the legal voters in each of one (1) or more other school corporations:



- 1 (1) prepare a resolution for a proposed consolidation that sets
 2 forth:
- 3 (A) subject to section 3(b) of this chapter, the information
 4 required in section 3(a)(1) through 3(a)(4) of this chapter; and
 5 (B) if applicable, the declarations in section 12.5 of this
 6 chapter; and
- 7 (2) petition the trustees of their respective school corporations to
 8 consolidate the school corporations, as set forth in the resolution;
 9 each governing body petitioned shall hold, not later than sixty (60) days
 10 after the date the governing body receives the resolution and petition,
 11 a public meeting for discussion on the proposed consolidation.
- 12 (b) If any of the petitioned governing bodies agrees to the proposed
 13 consolidation as set forth in the resolution, the governing body shall
 14 give notice by publication of its intention to adopt the resolution on the
 15 proposed consolidation once each week for two (2) consecutive weeks:
- 16 (1) with each notice by publication in a newspaper of general
 17 circulation, if any, in each of the school corporations, or, if a
 18 newspaper is not published in the school corporation, publication
 19 shall be made in the nearest newspaper published in the county in
 20 which the school corporation is located; or
- 21 (2) with the first publication of notice in the newspaper or
 22 newspapers as provided in subdivision (1) and the second
 23 publication of notice:
- 24 (A) in accordance with IC 5-3-5; and
 25 (B) on the official web sites of each of the school corporations.
- 26 **This subsection expires July 1, 2027.**
- 27 (c) **This subsection applies after June 30, 2027. If any of the**
 28 **petitioned governing bodies agrees to the proposed consolidation**
 29 **as set forth in the resolution, the governing body shall give two (2)**
 30 **weeks notice by publication in accordance with IC 5-3-1.5 of its**
 31 **intention to adopt the resolution on the proposed consolidation**
 32 **with each notice published:**
- 33 (1) **in an eligible publication that is published in each of the**
 34 **school corporations; or**
- 35 (2) **if there is no eligible publication that is published in the**
 36 **school corporation, in an eligible publication in the county in**
 37 **which the school corporation is located and has a verifiable**
 38 **readership in the school corporation.**
- 39 (e) (d) On or before the sixth day following the last publication of
 40 the notice of intention to consolidate required under subsection (b)
 41 (before July 1, 2027) or subsection (c) (after June 30, 2027), twenty
 42 percent (20%) of the legal voters residing in any school corporation



1 proposed to be consolidated may petition the governing body of the
 2 school corporation for an election to determine whether or not the
 3 majority of the voters of the school corporation is in favor of
 4 consolidation.

5 ~~(d)~~ (e) If a protest has not been filed under subsection ~~(e)~~ (d), the
 6 governing bodies may declare by joint resolution the consolidation of
 7 the school corporations to be accomplished, to take effect as provided
 8 in section 8 of this chapter.

9 ~~(e)~~ (f) Except as provided in subsection (b) **(before July 1, 2027)**
 10 **or subsection (c) (after June 30, 2027)**, if:

11 (1) a resolution and petition for consolidation has not been
 12 withdrawn thirty (30) days after the date of the public meeting
 13 under subsection (a); or

14 (2) a protest petition described in subsection ~~(e)~~; (d) has been
 15 filed;

16 each governing body shall call an election in each school corporation
 17 included in the proposed consolidation in the same manner as
 18 described in sections 5 and 6 of this chapter.

19 ~~(f)~~ (g) The governing body of each school corporation in which an
 20 election is held is bound by the majority vote of those voting. If a
 21 majority of those voting in any one (1) school corporation votes against
 22 the plan of consolidation, the plan fails. If a majority of the votes cast
 23 at each of the elections is in favor of the consolidation of two (2) or
 24 more school corporations, the trustees of the school corporations shall
 25 proceed to consolidate the schools and provide the necessary buildings
 26 and equipment. However, the failure does not prevent any or all the
 27 school corporations from taking further initial action for the
 28 consolidation of school corporations under this chapter.

29 SECTION 51. IC 20-23-10-6, AS AMENDED BY P.L.152-2021,
 30 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2022]: Sec. 6. (a) After the last concurrent resolution under
 32 section 5 of this chapter is adopted, notice of the adoption of the
 33 concurrent resolutions shall be given by stating:

34 (1) the substance of the concurrent resolutions;

35 (2) that the resolutions have been adopted; and

36 (3) that a right of remonstrance exists as provided in this chapter.

37 It is not necessary to set out the remonstrance provisions of the statute,
 38 but a general reference to the right of remonstrance with a reference to
 39 this chapter is sufficient.

40 (b) The notice under subsection (a) shall be made two (2) times, one
 41 (1) week apart:

42 (1) with each notice by publication:



- 1 (A) in two (2) daily newspapers, published in the English
 2 language and of general circulation in the county; or
 3 (B) if there is only one (1) daily or weekly newspaper in the
 4 county, publication in that newspaper is sufficient; or
 5 (2) with the first publication of notice in the newspaper or
 6 newspapers as provided in subdivision (1) and the second
 7 publication of notice:
 8 (A) in accordance with IC 5-3-5; and
 9 (B) on the official web sites of each school corporation subject
 10 to the merger.

11 **This subsection expires July 1, 2027.**

12 **(c) This subsection applies after June 30, 2027. The notice under**
 13 **subsection (a) shall be published in accordance with IC 5-3-1.5 as**
 14 **follows:**

15 **(1) Publication in two (2) eligible publications that are**
 16 **published in the school corporation.**

17 **(2) If there are not two (2) eligible publications that are**
 18 **published in the school corporations, then the provisions of**
 19 **IC 5-3-1-4.1(d) or IC 5-3-1-4.1(f) apply.**

20 **(e) (d)** The merger shall take effect at the time provided in section
 21 5 of this chapter unless, not more than thirty (30) days after the first
 22 publication of the notice under subsection (b)(1) **(before July 1, 2027)**
 23 **or subsection (c) (after June 30, 2027)**, a remonstrance is filed in the
 24 circuit or superior court of the county by registered voters equal in
 25 number to at least ten percent (10%) of the registered voters of a school
 26 corporation in the county.

27 SECTION 52. IC 20-25-5-11, AS ADDED BY P.L.1-2005,
 28 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2022]: Sec. 11. (a) An annexation may be effected if an
 30 acquiring school corporation and a losing school corporation each
 31 adopts a substantially identical annexation resolution that contains the
 32 following items:

33 (1) A description of the annexed territory. The description must,
 34 as near as reasonably possible, be by streets and other boundaries
 35 known by common names. The description does not need to
 36 include a legal description unless a legal description is necessary
 37 to identify the annexed territory. A notice is not defective if there
 38 is a good faith compliance with this section and if the area
 39 designated may be ascertained with reasonable certainty by a
 40 person skilled in the area of real estate description.

41 (2) The time the annexation takes place. The time the annexation
 42 takes place may vary with respect to the different parts of the



1 annexed territory. If the entire annexed territory is contiguous to
 2 the acquiring school corporation, the annexed territory may be
 3 annexed so that some parts may not be contiguous to the annexed
 4 territory for temporary periods.

5 (3) The terms and conditions facilitating education of students in
 6 the annexed territory, losing school corporation, or acquiring
 7 school corporation. The terms may include, but are not limited to,
 8 the continued attendance by students in the annexed territory at
 9 schools in the losing school corporation for specified periods after
 10 annexation on a transfer basis. If a student in an annexed territory
 11 attends a school in a losing school corporation under this
 12 subdivision, transfer tuition for the student must be paid by the
 13 acquiring school corporation to the losing school corporation in
 14 the manner and at the rates provided by the statutes governing the
 15 computation and payment of transfer tuition costs.

16 (4) The:

17 (A) disposition of assets and liabilities of the losing school
 18 corporation to the acquiring school corporation;

19 (B) allocation between the acquiring school corporation and
 20 losing school corporation of subsequently collected school
 21 taxes levied on property in the annexed territory; and

22 (C) amount, if any, to be paid by the acquiring school
 23 corporation to the losing school corporation on account of
 24 property received from the losing school corporation.

25 The disposition, allocation, and amount must be equitable.

26 (b) After the adoption of the resolutions under subsection (a), notice
 27 shall be given by publication in both the acquiring school corporation
 28 and the losing school corporation. The notice must include the text of
 29 the resolution, a statement that the resolution has been adopted, and a
 30 statement that a right of remonstrance exists as provided in this
 31 chapter. It is not necessary to set out the remonstrance provisions of
 32 this chapter in the notice. A general reference to a right of
 33 remonstrance with a reference to this chapter is sufficient to satisfy the
 34 requirements of this subsection. The annexation must take effect **as**
 35 **follows:**

36 (1) Not later than thirty (30) days after the publication of the
 37 notice or at the time provided in the resolution, whichever is later.

38 **This subdivision expires July 1, 2027.**

39 (2) **This subdivision applies after June 30, 2027. Not later than**
 40 **thirty (30) days after the fourteenth day of publication of the**
 41 **notice in an eligible publication, or the time provided in the**
 42 **resolution, whichever is later.**



1 However, the annexation is not required to take effect within the period
 2 required by this subsection if a remonstrance, based on a ground other
 3 than that set out in section 14(a)(5) of this chapter, is filed in the circuit
 4 or superior court of the county in which the annexed territory or any
 5 part of the annexed territory is located.

6 (c) The remonstrance must be filed by registered voters residing in
 7 the losing school corporation at least equal in number to the greater of:

8 (1) ten percent (10%) of the number of registered voters residing
 9 in the losing school corporation; or

10 (2) fifty-one percent (51%) of the number of registered voters
 11 residing in the annexed territory.

12 SECTION 53. IC 20-25-5-12, AS ADDED BY P.L.1-2005,
 13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2022]: Sec. 12. (a) Notwithstanding section 11 of this chapter,
 15 a school city may effect an annexation as follows:

16 (1) The acquiring school corporation must adopt an annexation
 17 resolution of the type provided in section 11 of this chapter.
 18 Unless the losing corporation consents, the resolution may not
 19 provide a time for annexation before July 1 following the May 1
 20 next succeeding the last publication of the notice of annexation.

21 **This subdivision expires July 1, 2027.**

22 **(2) This subdivision applies after June 30, 2027. The acquiring**
 23 **school corporation must adopt an annexation resolution of the**
 24 **type provided in section 11 of this chapter. Unless the losing**
 25 **corporation consents, the resolution may not provide a time**
 26 **for annexation before July 1 following the May 1 next**
 27 **succeeding the fourteenth day of publication of the notice of**
 28 **annexation.**

29 ~~(2)~~ (3) The acquiring school corporation, after adopting a
 30 resolution under subdivision (1), shall give notice of the type
 31 provided in section 11 of this chapter by publication in the
 32 acquiring school corporation and in the losing school corporation.
 33 The acquiring school corporation shall also give notice to the
 34 losing school corporation before the last publication of notice of
 35 the type provided in section 11 of this chapter. The annexation
 36 must take effect thirty (30) days after the last publication in the
 37 losing school corporation or at the time provided in the resolution,
 38 whichever is later. However, the annexation is not required to
 39 take effect within the period required by this subdivision if a
 40 remonstrance, based on a ground other than that set out in section
 41 14(a)(5) of this chapter, is filed in the circuit or superior court of
 42 the county in which the annexed territory or a part of the annexed



territory is located. The remonstrance must be filed by:

- (A) the losing school corporation;
- (B) not less than a majority of the owners of land in the annexed territory; or
- (C) the owners of seventy-five percent (75%) or more in assessed valuation of the real estate in the annexed territory.

This subdivision expires July 1, 2027.

(4) This subdivision applies after June 30, 2027. The acquiring school corporation, after adopting a resolution under subdivision (1), shall give notice of the type provided in section 11 of this chapter by publication in the acquiring school corporation and in the losing school corporation. The acquiring school corporation shall also give notice to the losing school corporation before the fourteenth day of publication of notice of the type provided in section 11 of this chapter. The annexation must take effect thirty (30) days after the fourteenth day of publication of notice in the losing school corporation or at the time provided in the resolution, whichever is later. However, the annexation is not required to take effect within the period required by this subdivision if a remonstrance, based on a ground other than that set out in section 14(a)(5) of this chapter, is filed in the circuit or superior court of the county in which the annexed territory or a part of the annexed territory is located. The remonstrance must be filed by:

- (A) the losing school corporation;**
- (B) not less than a majority of the owners of land in the annexed territory; or**
- (C) the owners of seventy-five percent (75%) or more in assessed valuation of the real estate in the annexed territory.**

(b) For purposes of determining ownership under subsection (a)(2)(B) and (a)(2)(C), the following rules apply:

- (1) Only the record title holder or holders of a single piece of property are considered an owner.
- (2) If record title of a single piece of property is in more than one (1) individual, all the individuals constitute only one (1) owner, and the remonstrance of any one (1) of the individuals constitutes the remonstrance of all the individuals, whether or not the other individuals authorized the filing of the remonstrance.

SECTION 54. IC 20-25-5-13, AS AMENDED BY P.L.152-2021, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 13. (a) The notice by publication required by
 2 sections 11 and 12 of this chapter shall be made one (1) time a week
 3 for two (2) consecutive weeks:

4 (1) with each notice by publication:

5 (A) in two (2) daily newspapers of general circulation in the
 6 acquiring school corporation and the losing school corporation
 7 published in the English language; or

8 (B) if there is:

9 (i) only one (1) daily newspaper or if there are not any daily
 10 newspapers in either school corporation, a weekly
 11 newspaper may be used to provide notice;

12 (ii) only one (1) daily or weekly newspaper, publication in
 13 that newspaper is sufficient; or

14 (iii) a newspaper of general circulation in both school
 15 corporations, the publication of notice in the newspaper
 16 qualifies as one (1) of the required publications in each of
 17 the school corporations; or

18 (2) with the first publication of notice in the newspaper or
 19 newspapers as provided in subdivision (1) and the second
 20 publication of notice:

21 (A) in accordance with IC 5-3-5; and

22 (B) on the official web sites of the acquiring school
 23 corporation and the losing school corporation.

24 Publication under subdivision (1) may be made jointly by the losing
 25 school corporation and the acquiring school corporation. The
 26 remonstrance period runs from the second publication. **This subsection
 27 expires July 1, 2027.**

28 **(b) This subsection applies after June 30, 2027. The notice by
 29 publication required by sections 11 and 12 of this chapter shall be
 30 made by publication in accordance with IC 5-3-1.5 as follows:**

31 **(1) Publication in two (2) eligible publications that are
 32 published in the acquiring school corporation and the losing
 33 school corporation.**

34 **(2) If there are not two (2) eligible publications that are
 35 published in the school corporations, then the provisions of
 36 IC 5-3-1-4(d) or IC 5-3-1-4(f) apply.**

37 **(3) If there is an eligible publication that has a verifiable
 38 readership in both school corporations, the publication of
 39 notice in the eligible publication qualifies as one (1) of the
 40 required publications in each of the school corporations.**

41 **Publication may be made jointly by the losing school corporation
 42 and the acquiring school corporation. The remonstrance period**



1 **runs from the second publication.**

2 ~~(b)~~ (c) If notice is required to be given by an acquiring school
3 corporation to a losing school corporation, it may be made by
4 registered or certified United States mail, return receipt requested,
5 addressed to the:

6 (1) governing body of the losing school corporation at the
7 governing body's established business office; or

8 (2) superintendent of schools or any officer of the governing body
9 of any other school corporation.

10 SECTION 55. IC 29-1-7-7, AS AMENDED BY P.L.231-2019,
11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2022]: Sec. 7. (a) As soon as letters testamentary or of
13 administration, general or special, supervised or unsupervised, have
14 been issued, the clerk of the court shall publish notice of the estate
15 administration.

16 (b) The notice required under subsection (a) shall be published in
17 a newspaper of general circulation, printed in the English language and
18 published in the county where the court is located, once each week for
19 two (2) consecutive weeks **(before July 1, 2021) or for at least two**
20 **(2) weeks (after June 30, 2027)**. A copy of the notice, with proof of
21 publication, shall be filed with the clerk of the court as a part of the
22 administration of the estate within thirty (30) days after the publication.
23 If no newspaper is published in the county, the notice shall be
24 published in a newspaper published in an adjacent county. **This**
25 **subsection expires July 1, 2027.**

26 (c) **This subsection applies after June 30, 2027. The notice**
27 **required under subsection (a) shall be published in an eligible**
28 **publication, printed in the English language and published in the**
29 **county where the court is located for at least two (2) weeks. A copy**
30 **of the notice, with proof of publication, shall be filed with the clerk**
31 **of the court as a part of the administration of the estate not later**
32 **than thirty (30) days after the publication. If no eligible publication**
33 **is published in the county, the notice shall be published in an**
34 **eligible publication published in an adjacent county.**

35 (d) **After December 31, 2022, the total charge for all**
36 **publications of notice of an estate administration by a newspaper**
37 **or locality newspaper (before July 1, 2027) or an eligible**
38 **publication (after June 30, 2027) may not exceed a cap of two**
39 **hundred dollars (\$200), unless the cap is increased as provided in**
40 **subsection (e).**

41 (e) **After December 31, 2023, a newspaper or locality newspaper**
42 **(before July 1, 2027) or an eligible publication (after June 30, 2027)**



1 **may, effective January 1 of any year, increase the cap for all**
 2 **publications of notice of the estate administration that was in effect**
 3 **during the previous year by not more than the rate of inflation as**
 4 **identified in the Consumer Price Index for All Urban Consumers**
 5 **for the United States issued by the United States Bureau of Labor**
 6 **Statistics.**

7 ~~(e)~~ **(f)** The notice required under subsection (a) shall be served by
 8 first class postage prepaid mail on each heir, devisee, legatee, and
 9 known creditor whose name and address is set forth in the petition for
 10 probate or letters, except as otherwise ordered by the court. The
 11 personal representative shall furnish sufficient copies of the notice,
 12 prepared for mailing, and the clerk of the court shall mail the notice
 13 upon the issuance of letters.

14 ~~(d)~~ **(g)** The personal representative or the personal representative's
 15 agent shall serve notice on each creditor of the decedent:

16 (1) whose name is not set forth in the petition for probate or
 17 letters under subsection ~~(e)~~; **(f)**;

18 (2) who is known or reasonably ascertainable within one (1)
 19 month after the first publication of notice under subsection (a);
 20 and

21 (3) whose claim has not been paid or settled by the personal
 22 representative.

23 The notice may be served by mail or any other means reasonably
 24 calculated to ensure actual receipt of the notice by a creditor. The unit
 25 is a reasonably ascertainable creditor under this section if the decedent
 26 was at least fifty-five (55) years of age at the time of death and dies on
 27 or after June 30, 2018. Notice served under this section by mail to the
 28 unit at the unit's address is reasonably calculated to ensure receipt of
 29 the notice by the unit.

30 ~~(e)~~ **(h)** Notice under subsection ~~(d)~~ **(g)** shall be served within one (1)
 31 month after the first publication of notice under subsection (a) or as
 32 soon as possible after the elapse of one (1) month. If the personal
 33 representative or the personal representative's agent fails to give notice
 34 to a known or reasonably ascertainable creditor of the decedent under
 35 subsection ~~(d)~~ **(g)** within one (1) month after the first publication of
 36 notice under subsection (a), the period during which the creditor may
 37 submit a claim against the estate includes an additional period ending
 38 two (2) months after the date notice is given to the creditor under
 39 subsection ~~(d)~~; **(g)**. However, a claim filed under IC 29-1-14-1(a) more
 40 than nine (9) months after the death of the decedent is barred.

41 ~~(f)~~ **(i)** A schedule of creditors that received notice under subsection
 42 ~~(d)~~ **(g)** shall be delivered to the clerk of the court as soon as possible



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after notice is given.
 (g) (j) The giving of notice to a creditor or the listing of a creditor on the schedule delivered to the clerk of the court does not constitute an admission by the personal representative that the creditor has an allowable claim against the estate.

(h) (k) If any person entitled to receive notice under this section is under a legal disability, the notice may be served upon or waived by the person's natural or legal guardian or by the person who has care and custody of the person.

(i) (l) The notice shall read substantially as follows:

NOTICE OF ADMINISTRATION

In the _____ Court of _____ County, Indiana.
 Notice is hereby given that _____ was, on the ____ day of _____, 20 __, appointed personal representative of the estate of _____, deceased, who died on the __ day of _____, 20 __.

All persons who have claims against this estate, whether or not now due, must file the claim in the office of the clerk of this court within three (3) months from the date of the first publication of this notice, or within nine (9) months after the decedent's death, whichever is earlier, or the claims will be forever barred.

Dated at _____, Indiana, this ____ day of _____, 20 __.

 CLERK OF THE _____ COURT
 FOR _____ COUNTY, INDIANA

SECTION 56. IC 29-1-7.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) Upon the filing of a petition under IC 29-1-7-5, the following persons may at any time petition the court for authority to have a decedent's estate administered without court supervision:

- (1) The decedent's heirs at law if the decedent dies intestate.
- (2) The legatees and devisees under the decedent's will.
- (3) The personal representative.

(b) The clerk of the court shall give notice of the filing of a petition for unsupervised administration to creditors of the decedent as provided in ~~IC 29-1-7-7(c) and IC 29-1-7-7(d)~~: **IC 29-1-7-7(f) and IC 29-1-7-7(g)**.

SECTION 57. IC 29-1-7.5-4, AS AMENDED BY P.L.194-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) Unless prohibited by order of the court and except for estates being administered in supervised administration proceedings, a personal representative may close an estate by filing with the court no earlier than three (3) months after the date of the first



1 published notice to creditors under IC 29-1-7-7(b) **(before July 1,**
 2 **2027) or IC 29-1-7-7(c) (after June 30, 2027)**, a verified statement
 3 stating that the personal representative, or a prior personal
 4 representative, has done the following:

5 (1) Published notice to creditors as provided in IC 29-1-7-7(b)
 6 **(before July 1, 2027) or IC 29-1-7-7(c) (after June 30, 2027)**,
 7 and that the first publication occurred more than three (3) months
 8 prior to the date of the statement.

9 (2) Provided notice to creditors as required under IC 29-1-7-7(c)
 10 and IC 29-1-7-7(d) **(before July 1, 2027) or IC 29-1-7-7(f) and**
 11 **IC 27-1-7-7(g) (after June 30, 2027).**

12 (3) Fully administered the estate of the decedent by making
 13 payment, settlement, or other disposition of all claims which were
 14 presented, expenses of administration and estate, inheritance, and
 15 other death taxes, except as specified in the statement. If any
 16 claims remain undischarged, the statement shall:

17 (A) state whether the personal representative has distributed
 18 the estate, subject to possible liability, with the agreement of
 19 the distributees; or

20 (B) detail other arrangements which have been made to
 21 accommodate outstanding liabilities.

22 (4) Executed and recorded a personal representative's deed for
 23 any real estate owned by the decedent.

24 (5) Distributed all the assets of the estate to the persons entitled
 25 to receive the assets.

26 (6) Sent a copy of the statement to:

27 (A) all distributees of the estate; and

28 (B) all creditors or other claimants of whom the personal
 29 representative has actual knowledge whose claims are neither
 30 paid nor barred and has furnished a full account in writing of
 31 the personal representative's administration to the distributees
 32 whose interests are affected, unless waived in writing.

33 (7) Provided the court with the names and addresses of all
 34 distributees, creditors, and claimants to whom the personal
 35 representative has sent a copy of the statement under subdivision
 36 (6).

37 (b) If no proceedings involving the personal representative are
 38 pending in the court three (3) months after the closing statement is
 39 filed, the appointment of the personal representative terminates and the
 40 estate is closed by operation of law.

41 SECTION 58. IC 29-1-10-6.5, AS AMENDED BY P.L.6-2010,
 42 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 6.5. (a) This section does not apply to the removal
2 of a personal representative under section 6 of this chapter.

3 (b) An interested person may petition the court for the removal of
4 a corporate fiduciary appointed by the court as personal representative
5 if there has been a change in the control of the corporate fiduciary and
6 either of the following applies:

7 (1) The change in the control of the corporate fiduciary occurred
8 after the date of the execution of the decedent's will but before the
9 decedent's death.

10 (2) The change in the control of the corporate fiduciary occurred
11 after the corporate fiduciary was appointed and during the
12 administration of the decedent's estate.

13 (c) A petition described in subsection (b) must be filed:

14 (1) not later than thirty (30) days after an interested person
15 receives notice under IC 29-1-7-7(c) (**before July 1, 2027**) or
16 **IC 29-1-7-7(f) (after June 30, 2027)**, or IC 29-1-7.5-1.5, in the
17 case of a change of control described in subsection (b)(1); or

18 (2) not later than a reasonable time after the change of control, in
19 the case of a change of control described in subsection (b)(2).

20 (d) The court may remove the corporate fiduciary if the court
21 determines, after a hearing, that the removal is in the best interests of
22 all interested persons. The court may replace the corporate fiduciary
23 with another corporate fiduciary or an individual.

24 (e) For purposes of this section, a change in control of a corporate
25 fiduciary occurs whenever a person or group of persons acting in
26 concert acquires the beneficial ownership of a total of at least
27 twenty-five percent (25%) of the outstanding voting stock of:

28 (1) a corporate fiduciary; or

29 (2) a corporation controlling a corporate fiduciary.

30 (f) The removal of a corporate fiduciary after letters are duly issued
31 does not invalidate official acts performed before the removal.

32 (g) If a corporate fiduciary is replaced under this section, the
33 corporate fiduciary is entitled to receive reasonable compensation for
34 services rendered before the removal.

35 SECTION 59. IC 29-1-17-2, AS AMENDED BY P.L.211-2019,
36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2022]: Sec. 2. (a) After the expiration of the time limit for the
38 filing of claims, and after all claims against the estate, including state
39 and federal inheritance and estate taxes, have been determined, paid,
40 or provision made therefor, except contingent and unmatured claims
41 which cannot then be paid, the personal representative shall, if the
42 estate is in a condition to be closed, render a final account and at the



1 same time petition the court to decree the final distribution of the
2 estate.

3 (b) The final account must include a verified statement that the clerk
4 of the court, the personal representative, or a previous personal
5 representative, has done the following:

6 (1) Published notice to creditors as provided in IC 29-1-7-7(b)
7 **(before July 1, 2027) or IC 29-1-7-7(c) (after June 30, 2027),**
8 with the first publication occurring more than three (3) months
9 before the date of the final account.

10 (2) Provided notice to creditors as required under IC 29-1-7-7(c)
11 and IC 29-1-7-7(d) **(before July 1, 2027) or IC 29-1-7-7(f) and**
12 **IC 29-1-7-7(g) (after June 30, 2027).**

13 (c) Notice of the hearing of the petition shall be provided under
14 IC 29-1-16-6.

15 (d) In its decree of final distribution, the court shall designate the
16 persons to whom distribution is to be made, and the proportions or
17 parts of the estate, or the amounts, to which each is entitled under the
18 will and the provisions of this probate code, including the provisions
19 regarding advancements, election by the surviving spouse, lapse,
20 renunciation, adjudicated compromise of controversies, and retainer.
21 Every tract of real property so distributed shall be specifically
22 described therein. The decree shall find that all state and federal
23 inheritance and estate taxes are paid, and if all claims have been paid,
24 it shall so state; otherwise, the decree shall state that all claims except
25 those therein specified are paid and shall describe the claims for the
26 payment of which a special fund is set aside, and the amount of such
27 fund. If any contingent claims which have been duly allowed are still
28 unpaid and have not become absolute, such claims shall be described
29 in the decree, which shall state whether the distributees take subject to
30 them. If a fund is set aside for the payment of contingent claims, the
31 decree shall provide for the distribution of such fund in the event that
32 all or a part of it is not needed to satisfy such contingent claims. If a
33 decree of partial distribution has been previously made, the decree of
34 final distribution shall expressly confirm it, or, for good cause, shall
35 modify said decree and state specifically what modifications are made.

36 (e) If a distributee dies before distribution to the distributee of the
37 distributee's share of the estate, the distributee's share may be
38 distributed to the personal representative of the distributee's estate, if
39 there is one; or if no administration on the deceased distributee's estate
40 is had and none is necessary according to IC 29-1-8, the share of the
41 deceased distributee shall be distributed in accordance with IC 29-1-8.

42 (f) The decree of final distribution shall be a conclusive



1 determination of the persons who are the successors in interest to the
 2 estate of the decedent and of the extent and character of their interest
 3 therein, subject only to the right of appeal and the right to reopen the
 4 decree. It shall operate as the final adjudication of the transfer of the
 5 right, title, and interest of the decedent to the distributees therein
 6 designated; but no transfer before or after the decedent's death by an
 7 heir or devisee shall affect the decree, nor shall the decree affect any
 8 rights so acquired by grantees from the heirs or devisees.

9 (g) Whenever the decree of final distribution includes real property,
 10 a certified copy thereof shall be recorded by the personal representative
 11 in every county of this state in which any real property distributed by
 12 the decree is located except the county in which the estate is
 13 administered. The cost of recording such decree shall be charged to the
 14 estate.

15 SECTION 60. IC 32-24-1-7, AS AMENDED BY P.L.152-2021,
 16 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2022]: Sec. 7. (a) The notice, upon its return, must show its:

- 18 (1) service for ten (10) days; or
 19 (2) proof of publication for three (3) successive weeks:
 20 (A) with each publication of the notice in a weekly newspaper
 21 of general circulation printed and published in the English
 22 language in the county in which the property sought to be
 23 acquired is located; or
 24 (B) with the first publication of notice in a newspaper
 25 described in clause (A) and the two (2) subsequent
 26 publications of notice:
 27 (i) in accordance with IC 5-3-5; and
 28 (ii) on the official web site of the county.

29 The last publication of the notice must be five (5) days before the day
 30 set for the hearing. **This subsection expires July 1, 2027.**

31 **(b) This subsection applies after June 30, 2027. The notice, upon**
 32 **its return, must show its:**

- 33 **(1) service for ten (10) days; or**
 34 **(2) proof of publication of the notice in accordance with**
 35 **IC 5-3-1.5 in an eligible publication that is published in the**
 36 **county in which the property sought to be acquired is located**
 37 **with the first publication date of the notice not less than three**
 38 **(3) weeks before the hearing.**

39 ~~(b)~~ (c) The clerk of the court in which the proceedings are pending,
 40 upon the first publication of the notice, shall send to the post office
 41 address of each nonresident owner whose property will be affected by
 42 the proceedings a copy of the notice, if the post office address of the



1 owner or owners can be ascertained by inquiry at the office of the
2 treasurer of the county.

3 (e) (d) The court, being satisfied of the regularity of the proceedings
4 and the right of the plaintiff to exercise the power of eminent domain
5 for the use sought, shall appoint:

6 (1) one (1) disinterested freeholder of the county; and

7 (2) two (2) disinterested appraisers licensed under IC 25-34.1;
8 who are residents of Indiana to assess the damages, or the benefits and
9 damages, as the case may be, that the owner or owners severally may
10 sustain, or be entitled to, by reason of the acquisition. One (1) of the
11 appraisers appointed under subdivision (2) must reside not more than
12 fifty (50) miles from the property.

13 SECTION 61. IC 32-24-2-6, AS AMENDED BY P.L.152-2021,
14 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2022]: Sec. 6. (a) This chapter applies if the works board of
16 a municipality wants to acquire property for the use of the municipality
17 or to open, change, lay out, or vacate a street, an alley, or a public place
18 in the municipality, including a proposed street or alley crossings of
19 railways or other rights-of-way. However, this chapter does not apply
20 if a municipality wants to acquire the property of a public utility (as
21 defined in IC 8-1-2-1).

22 (b) The works board must adopt a resolution that the municipality
23 wants to acquire the property. The resolution must describe the
24 property that may be injuriously or beneficially affected. The board
25 shall have notice of the resolution:

26 (1) published for two (2) consecutive weeks:

27 (A) with each publication of notice in a newspaper of general
28 circulation published in the municipality; or

29 (B) with the first publication of notice in a newspaper
30 described in clause (A) and the second publication of notice:

31 (i) in accordance with IC 5-3-5; and

32 (ii) on the official web site of the municipality; and

33 (2) mailed to the owner of each piece of property affected by the
34 proposed acquisition.

35 The notice must name a date, at least thirty (30) days after the last
36 publication, at which time the board will receive or hear remonstrances
37 from persons interested in or affected by the proceeding. **This**
38 **subsection expires July 1, 2027.**

39 **(c) This subsection applies after June 30, 2027. The works board**
40 **must adopt a resolution that the municipality wants to acquire the**
41 **property. The resolution must describe the property that may be**
42 **injuriously or beneficially affected. The board shall have notice of**



1 **the resolution:**

2 **(1) published in accordance with IC 5-3-1.5 with publication**
 3 **of notice in an eligible publication that is published in the**
 4 **municipality; and**

5 **(2) mailed to the owner of each piece of property affected by**
 6 **the proposed acquisition.**

7 **The notice must name a date, at least thirty (30) days after the**
 8 **fourteenth day of publication, at which time the board will receive**
 9 **or hear remonstrances from persons interested in or affected by**
 10 **the proceeding.**

11 ~~(e)~~ **(d)** The works board shall consider the remonstrances, if any,
 12 and then take final action, confirming, modifying, or rescinding its
 13 original resolution.

14 SECTION 62. IC 32-24-2-8, AS AMENDED BY P.L.152-2021,
 15 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2022]: Sec. 8. (a) Upon the completion of the list, the works
 17 board shall award the damages sustained and assess the benefits
 18 accruing to each piece of property on the list.

19 (b) When the assessments or awards are completed, the works board
 20 shall have a written notice served upon the owner of each piece of
 21 property, showing the amount of the assessment or award, by:

- 22 (1) if the owner is a resident of the municipality, leaving a copy
 23 of the notice at the owner's last usual place of residence in the
 24 municipality or by delivering a copy to the owner personally and
 25 mailing a copy of the notice to the owner's address of record; or
 26 (2) if the owner is not a resident of the municipality, by sending
 27 the notice to the owner's address of record by certified mail.

28 (c) If the owner's residence is unknown, the municipality shall notify
 29 the owner by publication once each week for three (3) successive
 30 weeks:

- 31 (1) with each publication of notice in a daily newspaper of general
 32 circulation in the municipality; or
 33 (2) with the first publication of notice in a newspaper described
 34 in subdivision (1) and the two (2) subsequent publications of
 35 notice:

36 (A) in accordance with IC 5-3-5; and

37 (B) on the official web site of the municipality.

38 **This subsection expires July 1, 2027.**

39 **(d) This subsection applies after June 30, 2027. If the owner's**
 40 **residence is unknown, the municipality shall notify the owner by**
 41 **publication for three (3) weeks in accordance with IC 5-3-1.5 with**
 42 **publication of notice in an eligible publication that is published in**



1 **or has a verifiable readership in the municipality.**

2 ~~(d)~~ (e) The notices must also name a day, at least thirty (30) days
3 after service of notice or after the last publication, on which the works
4 board will receive or hear remonstrances from owners with regard to:
5 (1) the amount of their respective awards or assessments; and
6 (2) objections to the municipality's right to exercise the power of
7 eminent domain for the use sought.

8 ~~(e)~~ (f) Persons not included in the list of the assessments or awards
9 and claiming to be entitled to them are considered to have been notified
10 of the pendency of the proceedings by the original notice of the
11 resolution of the works board.

12 ~~(f)~~ (g) The notice required by this section must provide the full text
13 of subsection ~~(d)~~ (e) to provide notice to the property owners of their
14 right to object to the condemnation and be in substantially the same
15 form as the notice required under IC 32-24-1-6(a).

16 SECTION 63. IC 32-29-7-3, AS AMENDED BY THE
17 TECHNICAL CORRECTIONS BILL OF THE 2022 GENERAL
18 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2022]: Sec. 3. (a) In a proceeding for the foreclosure of a
20 mortgage executed on real estate, process may not issue for the
21 execution of a judgment or decree of sale for a period of three (3)
22 months after the filing of a complaint in the proceeding. However:

23 (1) the period is:
24 (A) twelve (12) months in a proceeding for the foreclosure of
25 a mortgage executed before January 1, 1958; and
26 (B) six (6) months in a proceeding for the foreclosure of a
27 mortgage executed after December 31, 1957, but before July
28 1, 1975; and
29 (2) if the court finds under IC 32-30-10.6 that the mortgaged real
30 estate has been abandoned, a judgment or decree of sale may be
31 executed on the date the judgment of foreclosure or decree of sale
32 is entered, regardless of the date the mortgage is executed.

33 (b) A judgment and decree in a proceeding to foreclose a mortgage
34 that is entered by a court having jurisdiction may be filed with the clerk
35 in any county as provided in IC 33-32-3-2. After the period set forth in
36 subsection (a) expires, a person who may enforce the judgment and
37 decree may file a praecipe with the clerk in any county where the
38 judgment and decree is filed, and the clerk shall promptly issue and
39 certify to the sheriff of that county a copy of the judgment and decree
40 under the seal of the court. However, if:

41 (1) a praecipe is not filed with the clerk within one hundred eighty
42 (180) days after the later of the dates on which:



- 1 (A) the period specified in subsection (a) expires; or
 2 (B) the judgment and decree is filed; and
 3 (2) the sale is not:
 4 (A) otherwise prohibited by law;
 5 (B) subject to a voluntary statewide foreclosure moratorium;
 6 or
 7 (C) subject to a written agreement that:
 8 (i) provides for a delay in the sale of the mortgaged real
 9 estate; and
 10 (ii) is executed by and between the owner of the mortgaged
 11 real estate and a party entitled to enforce the judgment and
 12 decree;
- 13 an enforcement authority that has issued an abatement order under
 14 IC 36-7-36-9 with respect to the mortgaged real estate may file a
 15 praecipe with the clerk in any county where the judgment and decree
 16 is filed. If an enforcement authority files a praecipe under this
 17 subsection, the clerk of the county in which the praecipe is filed shall
 18 promptly issue and certify to the sheriff of that county a copy of the
 19 judgment and decree under the seal of the court.
- 20 (c) Upon receiving a certified judgment under subsection (b), the
 21 sheriff shall, subject to section 4 of this chapter, sell the mortgaged
 22 premises or as much of the mortgaged premises as necessary to satisfy
 23 the judgment, interest, and costs at public auction at the office of the
 24 sheriff or at another location that is reasonably likely to attract higher
 25 competitive bids. The sheriff shall schedule the date and time of the
 26 sheriff's sale for:
 27 (1) a date not later than:
 28 (A) sixty (60) days after the date on which a judgment and
 29 decree under IC 32-30-10.6-5; and
 30 (B) one hundred twenty (120) days after the date on which a
 31 judgment and decree in all other cases;
 32 under seal of the court is certified to the sheriff by the clerk; and
 33 (2) a time certain between the hours of 10 a.m. and 4 p.m. on any
 34 day of the week except Sunday.
- 35 (d) Before selling mortgaged property, the sheriff must advertise the
 36 sale by publication once each week for three (3) successive weeks:
 37 (1) with each publication of notice in a daily or weekly newspaper
 38 of general circulation in at least one (1) newspaper published and
 39 circulated in each county where the real estate is situated; or
 40 (2) with the first publication of notice in a newspaper described
 41 in subdivision (1) and the two (2) subsequent publications of
 42 notice:



1 (A) in accordance with IC 5-3-5; and

2 (B) on the official web site of each county where the real
3 estate is located.

4 The first publication shall be made at least thirty (30) days before the
5 date of sale. At the time of placing the first advertisement by
6 publication, the sheriff shall also serve a copy of the written or printed
7 notice of sale upon each owner of the real estate. Service of the written
8 notice shall be made as provided in the Indiana Rules of Trial
9 Procedure governing service of process upon a person. **This subsection
10 expires July 1, 2027.**

11 (e) **This subsection applies after June 30, 2027. Before selling
12 mortgaged property, the sheriff must advertise the sale by
13 publication in accordance with IC 5-3-1.5 in at least one (1) eligible
14 publication that is published in each county where the real estate
15 is located. The date of first publication of the notice must be made
16 at least thirty (30) days before the date of sale. At the time of
17 placing the publication, the sheriff shall also serve a copy of the
18 written or printed notice of sale upon each owner of the real estate.
19 Service of the written notice shall be made as provided in the
20 Indiana Rules of Trial Procedure governing service of process
21 upon a person.**

22 (f) **After December 31, 2022, the total charge for all publications
23 of notice with regard to a sale of property under this chapter,
24 including any publications of notice required for redemption of
25 property under IC 6-1.1-25-4.5 or IC 6-1.1-25-4.6, by a newspaper
26 or locality newspaper (before July 1, 2027) or an eligible
27 publication (after June 30, 2027) may not exceed a cap of seven
28 hundred fifty dollars (\$750), unless the cap is increased as provided
29 in subsection (g).**

30 (g) **After December 31, 2023, a newspaper or locality newspaper
31 (before July 1, 2027) or an eligible publication (after June 30, 2027)
32 may, effective January 1 of any year, increase the cap for all
33 publications of notice described in subsection (f) that was in effect
34 during the previous year by not more than the rate of inflation as
35 identified in the Consumer Price Index for All Urban Consumers
36 for the United States issued by the United States Bureau of Labor
37 Statistics.**

38 (e) (h) **The sheriff shall charge a fee of ten dollars (\$10) to one (1)
39 owner and three dollars (\$3) to each additional owner for service of
40 written notice under this subsection (d) (before July 1, 2027) or
41 subsection (e) (after June 30, 2027). The fee is:**

42 (1) a cost of the proceeding;



- 1 (2) to be collected as other costs of the proceeding are collected;
 2 and
 3 (3) to be deposited in the county general fund for appropriation
 4 for operating expenses of the sheriff's department.
- 5 ~~(g)~~ (i) The sheriff also shall post written or printed notices of the sale
 6 at the door of the courthouse of each county in which the real estate is
 7 located.
- 8 ~~(g)~~ (j) If the sheriff is unable to procure the publication of a notice
 9 within the county, the sheriff may dispense with publication. The
 10 sheriff shall state that the sheriff was not able to procure the
 11 publication and explain the reason why publication was not possible.
- 12 ~~(h)~~ (k) Notices under ~~subsections~~ **subsection (d) ~~(e)~~, ~~(f)~~, and ~~(j)~~**
 13 **(before July 1, 2027) or subsection (e) (after June 30, 2027)**, must
 14 contain a statement, for informational purposes only, of the location of
 15 each property by street address, if any, or other common description of
 16 the property other than legal description. A misstatement in the
 17 informational statement under this subsection does not invalidate an
 18 otherwise valid sale.
- 19 ~~(i)~~ (l) The sheriff may charge an administrative fee of not more than
 20 two hundred dollars (\$200) with respect to a proceeding referred to in
 21 subsection (b) for actual costs directly attributable to the administration
 22 of the sale under subsection (c). The fee is:
- 23 (1) payable by the person seeking to enforce the judgment and
 24 decree; and
 25 (2) due at the time of filing of the praecipe;
 26 under subsection (b).
- 27 ~~(j)~~ (m) If a sale of mortgaged property scheduled under this section
 28 is canceled, the sheriff shall provide written notice of the cancellation
 29 to each owner of the real estate. Service of the written notice shall be
 30 made as provided in the Indiana Rules of Trial Procedure governing
 31 service of process upon a person. The sheriff shall charge a fee of ten
 32 dollars (\$10) for notice to one (1) owner and three dollars (\$3) for
 33 notice to each additional owner for service of written notice under this
 34 subsection. The fee:
- 35 (1) is a cost of the proceeding;
 36 (2) shall be collected as other costs of the proceeding are
 37 collected; and
 38 (3) shall be deposited in the county general fund for appropriation
 39 for operating expenses of the sheriff's department.
- 40 The fee for service under this subsection shall be paid by the person
 41 who caused the sale to be canceled.
- 42 SECTION 64. IC 32-29-8-4, AS AMENDED BY P.L.13-2013,



1 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2022]: Sec. 4. (a) As used in this section, "interested person",
3 with respect to an action to foreclose a mortgage on an interest in real
4 property in Indiana, means:

5 (1) the holder of the evidence of debt secured by the mortgage
6 being foreclosed;

7 (2) a person:

8 (A) who purchases the property at a judicial sale after a
9 judgment and decree of sale is entered in the action; and

10 (B) to whom a deed is executed and delivered by the sheriff
11 under IC 32-29-7-10; or

12 (3) any person claiming by, through, or under a person described
13 in subdivision (1) or (2).

14 (b) As used in this section, "omitted party", with respect to an action
15 to foreclose a mortgage on an interest in real property in Indiana,
16 means a person who:

17 (1) before the commencement of the action has acquired in the
18 property an interest that:

19 (A) is junior or subordinate to the mortgage being foreclosed;
20 and

21 (B) would otherwise be extinguished by the foreclosure; and

22 (2) is either:

23 (A) not named as a party defendant in the action or, if named
24 as a party defendant, is not served with process; or

25 (B) not served with a notice of sale under IC 32-29-7-3(d)

26 **(before July 1, 2027) or IC 32-29-7-3(e) (after June 30,**
27 **2027)** after a judgment and decree of sale is entered in the
28 action.

29 The term includes any person claiming by, through, or under a person
30 described in this subsection.

31 (c) At any time after a judgment and decree of sale is entered in an
32 action to foreclose a mortgage on an interest in real property in Indiana,
33 an interested person or an omitted party may bring a civil action to:

34 (1) determine the extent of; and

35 (2) terminate;

36 the interest of an omitted party in the property subject to the sale.

37 (d) Except as provided in subsection (e) and subject to subsections
38 (f) and (g), upon the filing of an action described in subsection (c), the
39 court shall determine the extent of the omitted party's interest in the
40 property and issue a decree terminating that interest, subject to the right
41 of the omitted party to redeem the property on terms as the court
42 considers equitable under the circumstances after considering the



1 factors set forth in subsection (f), if the omitted party would have had
2 redemption rights:

3 (1) before the sale under IC 32-29-7-7; or

4 (2) after the sale, as described in IC 34-55-4-8(a)(2).

5 (e) If the omitted party proves that the omitted party has a right to
6 receive proceeds actually paid at the judicial sale, the omitted party's
7 interest in the property is not subject to termination by an action
8 brought under this section unless the proceeds that the omitted party
9 would have received at the judicial sale are paid to the omitted party.

10 (f) In an action brought under this section, if the court determines
11 that the omitted party is entitled to redemption under subsection (d),
12 the court shall consider the following in deciding the terms of the
13 redemption:

14 (1) Whether the omitted party:

15 (A) was given or had actual notice or knowledge of the
16 foreclosure; and

17 (B) had opportunity to intervene in the foreclosure action or
18 otherwise exercise any right to redeem the property.

19 (2) Whether any interested person in good faith has made
20 valuable improvements to the property and, if so, the value of all
21 lasting improvements made to the property before the
22 commencement of the action under this section.

23 (3) The amount of any taxes and assessments, along with any
24 related interest payments, related to the property and paid by an
25 interested person or by any person under whose title to the
26 property an interested person claims.

27 (g) If the court determines that the omitted party is entitled to
28 redemption under subsection (d), and after considering the factors set
29 forth in subsection (f), the court shall grant redemption rights to the
30 omitted party that the court considers equitable under the
31 circumstances, subject to the following:

32 (1) The amount to be paid for redemption may not be less than the
33 sale price resulting from the foreclosure of the interested person's
34 senior lien, plus interest at the statutory judgment rate.

35 (2) The time allowed for payment of the redemption amount may
36 not exceed ninety (90) days after the date of the court's decree
37 under subsection (d).

38 (h) The senior lien upon which the foreclosure action was based is
39 not extinguished by merger with the title to the property conveyed to
40 a purchaser through a sheriff's deed executed and delivered under
41 IC 32-29-7-10 until the interest of any omitted party has been
42 terminated:



1 (1) through an action brought under this section; or

2 (2) by operation of law.

3 Until an omitted party's interest is terminated as described in this
4 subsection, any owner of the property as a holder of a sheriff's deed
5 executed and delivered under IC 32-29-7-10, or any person claiming
6 by, through, or under such an owner, is the equitable owner of the
7 senior lien upon which the foreclosure action was based and has all
8 rights against an omitted party as existed before the judicial sale.

9 (i) An interested person may not terminate an omitted party's
10 interest in real property that is the subject of a foreclosure action except
11 through an action brought under this section. An interested person's
12 rights under this section may not be denied because the interested
13 person:

14 (1) had actual or constructive notice of the omitted party's interest
15 in the property;

16 (2) was negligent in examining county records;

17 (3) was engaged in the business of lending; or

18 (4) obtained a title search or commitment or a title insurance
19 policy.

20 SECTION 65. IC 33-37-3-2.5 IS ADDED TO THE INDIANA
21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2022]: **Sec. 2.5. (a) As used in this section,**
23 **"eligible publication" means the following:**

24 (1) **"Locality newspaper" as defined in IC 5-3-1-0.2.**

25 (2) **"Newspaper" as defined in IC 5-3-1-0.4.**

26 (3) **"Qualified publication" as defined in IC 5-3-1-0.7.**

27 **This subsection expires July 1, 2027.**

28 (b) **This subsection applies after June 30, 2027. As used in this**
29 **section "eligible publication" has the meaning set forth in**
30 **IC 5-3-1-0.3.**

31 (c) **An eligible publication may not charge an indigent person a**
32 **fee for publishing a legal notice that exceeds the rate charged an**
33 **elected or appointed public official or a governmental agency**
34 **under IC 5-3-1-1(c), if the person provides the eligible publication**
35 **with a copy of the indigency statement filed under section 2 of this**
36 **chapter.**

37 SECTION 66. IC 34-28-2-3, AS AMENDED BY P.L.61-2010,
38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2022]: **Sec. 3. (a) Upon filing a petition for a name change,**
40 **the applicant shall give notice of the petition as follows:**

41 (1) **By three (3) weekly publications in a newspaper of general**
42 **circulation published in the county in which the petition is filed**



- 1 in court.
- 2 (2) If no newspaper is published in the county in which the
- 3 petition is filed, the applicant shall give notice in a newspaper
- 4 published nearest to that county in an adjoining county.
- 5 (3) The last weekly publication shall be published not less than
- 6 thirty (30) days before the day the petition will be heard as
- 7 indicated in the notice.
- 8 **This subsection expires July 1, 2027.**
- 9 **(b) This subsection applies after June 30, 2027. Upon filing a**
- 10 **petition for a name change, the applicant shall give notice of the**
- 11 **petition as follows:**
- 12 **(1) By publication in accordance with IC 5-3-1.5 in an eligible**
- 13 **publication published in the county in which the petition is**
- 14 **filed in court.**
- 15 **(2) If no eligible publication is published in the county in**
- 16 **which the petition is filed, the applicant shall give notice in an**
- 17 **eligible publication nearest to that county in an adjoining**
- 18 **county.**
- 19 **(3) The date of the first publication of the notice shall be not**
- 20 **less than fifty-one (51) days before the day the petition will be**
- 21 **heard as indicated in the notice.**
- 22 **(c) After December 31, 2022, the total charge for all publications**
- 23 **of notice with regard to a petition for name change by a newspaper**
- 24 **or locality newspaper (before July 1, 2027) or an eligible**
- 25 **publication (after June 30, 2027) may not exceed a cap of two**
- 26 **hundred dollars (\$200), unless the cap is increased as provided in**
- 27 **subsection (d).**
- 28 **(d) After December 31, 2023, a newspaper or locality newspaper**
- 29 **(before July 1, 2027) or an eligible publication (after June 30, 2027)**
- 30 **may, effective January 1 of any year, increase the cap for all**
- 31 **publications of notice described in subsection (c) that was in effect**
- 32 **during the previous year by not more than the rate of inflation as**
- 33 **identified in the Consumer Price Index for All Urban Consumers**
- 34 **for the United States issued by the United States Bureau of Labor**
- 35 **Statistics.**
- 36 ~~(b)~~ **(e) In the case of a petition described in section 2(b) of this**
- 37 **chapter, the notice required by this section must include the following:**
- 38 **(1) The name of the petitioner.**
- 39 **(2) The name of the minor child whose name is to be changed.**
- 40 **(3) The new name desired.**
- 41 **(4) The name of the court in which the action is pending.**
- 42 **(5) The date on which the petition was filed.**



- 1 (6) A statement that any person has the right to appear at the
 2 hearing and to file objections.
- 3 ~~(e)~~ **(f)** Except as provided in section 1.5 of this chapter, in the case
 4 of a person who has had a felony conviction within ten (10) years
 5 before filing a petition for a change of name, at least thirty (30) days
 6 before the hearing the petitioner must give notice of the filing of the
 7 petition to:
- 8 (1) the sheriff of the county in which the petitioner resides;
 9 (2) the prosecuting attorney of the county in which the petitioner
 10 resides; and
 11 (3) the Indiana central repository for criminal history information.
- 12 ~~(d)~~ **(g)** The notice given to the Indiana central repository for
 13 criminal history information under subsection ~~(e)~~ **(f)** must include the
 14 petitioner's full current name, requested name change, date of birth,
 15 address, physical description, and a full set of classifiable fingerprints.
- 16 ~~(e)~~ **(h)** The Indiana central repository for criminal history
 17 information shall forward a copy of any criminal records of the
 18 petitioner to the court for the court's information.
- 19 ~~(f)~~ **(i)** A copy of the court decree granting or denying such a petition
 20 shall be sent to the Indiana state police.
- 21 ~~(g)~~ **(j)** A person who violates subsection ~~(e)~~ **(f)** commits a Class A
 22 misdemeanor.
- 23 SECTION 67. IC 34-55-6-9, AS AMENDED BY P.L.152-2021,
 24 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 9. (a) A sale of real estate, on execution, shall be
 26 advertised by the sheriff for at least twenty (20) days successively, next
 27 before the day of sale, by:
- 28 (1) posting written or printed notices of the sale in three (3) public
 29 places in the township in which the real estate is located;
 30 (2) posting a like advertisement at the door of the courthouse of
 31 the county; and
 32 (3) advertising the sale for three (3) weeks successively:
 33 (A) with each publication of notice in a newspaper:
 34 (i) of general circulation;
 35 (ii) printed in the English language; and
 36 (iii) published in the county where the real estate is located;
 37 or
 38 (B) with the first publication of notice one (1) time in a
 39 newspaper described in clause (A) and all successive
 40 publications of notice:
 41 (i) in accordance with IC 5-3-5; and
 42 (ii) on the official web site of each county where the real



1 estate is located.

2 **This subsection expires July 1, 2027.**

3 **(b) This subsection applies after June 30, 2027. A sale of real**
 4 **estate, on execution, shall be advertised by the sheriff at least**
 5 **twenty (20) days successively, before the day of sale, by:**

6 **(1) posting written or printed notices of the sale in three (3)**
 7 **public places in the township in which the real estate is**
 8 **located;**

9 **(2) posting a like advertisement at the door of the courthouse**
 10 **of the county; and**

11 **(3) advertising the sale in accordance with IC 5-3-1.5 at least**
 12 **three (3) weeks before the date of the sale in an eligible**
 13 **publication that is published in the county where the real**
 14 **estate is located.**

15 ~~(b)~~ **(c)** However, if the sheriff is not able to procure the publication
 16 of the notice in:

17 **(1) a newspaper of general circulation, published within the**
 18 **sheriff's county, described in (a)(3) (before July 1, 2027); or**

19 **(2) an eligible publication described in (b)(3) (after June 30,**
 20 **2027);**

21 the sheriff may dispense with the publication of the notice or publish
 22 the notice on the official web site of each county where the real estate
 23 is located for three (3) weeks successively. The land may be sold
 24 without the required publication, but the sheriff shall, in the sheriff's
 25 return of the writ, state the sheriff's inability to procure the publication
 26 of notice in the newspaper **(before July 1, 2027) or eligible**
 27 **publication (after June 30, 2027)**. The return has the same effect in
 28 evidence as the official returns of sheriffs in other cases.

29 ~~(c)~~ **(d)** In a notice under this section, the sheriff must include the
 30 following:

31 **(1) A statement of the date, time, and place of the sale.**

32 **(2) A description of the location of the property that includes, for**
 33 **informational purposes only, the location of each property by**
 34 **street address, if any, or other common description of the property**
 35 **other than legal description. However, a misstatement in the**
 36 **informational statement under this subdivision does not invalidate**
 37 **an otherwise valid sale.**

38 SECTION 68. IC 36-1-12.5-5, AS AMENDED BY P.L.152-2021,
 39 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 5. (a) The governing body may enter into an
 41 agreement with a public utility to participate in a utility efficiency
 42 program or enter into a guaranteed savings contract with a qualified



1 provider to increase the political subdivision's billable revenues or
 2 reduce the school corporation's or the political subdivision's energy or
 3 water consumption, wastewater usage costs, or operating costs if, after
 4 review of the report described in section 6 of this chapter, the
 5 governing body finds:

6 (1) in the case of conservation measures other than those that are
 7 part of a project related to the alteration of a water or wastewater
 8 structure or system, that the amount the governing body would
 9 spend on the conservation measures under the contract and that
 10 are recommended in the report is not likely to exceed the amount
 11 to be saved in energy consumption costs and other operating costs
 12 over twenty (20) years from the date of installation if the
 13 recommendations in the report were followed;

14 (2) in the case of conservation measures that are part of a project
 15 related to the alteration of a water or wastewater structure or
 16 system, that the amount the governing body would spend on the
 17 conservation measures under the contract and that are
 18 recommended in the report is not likely to exceed the amount of
 19 increased billable revenues or the amount to be saved in energy
 20 and water consumption costs, wastewater usage costs, and other
 21 operating costs over twenty (20) years from the date of
 22 installation if the recommendations in the report were followed;
 23 and

24 (3) in the case of a guaranteed savings contract, the qualified
 25 provider provides a written guarantee as described in subsection
 26 ~~(d)(3)~~: **(e)(3)**.

27 (b) Before entering into an agreement to participate in a utility
 28 efficiency program or a guaranteed savings contract under this section,
 29 the governing body must publish notice under subsection (c) **(before**
 30 **July 1, 2027) or subsection (d) (after June 30, 2027)** indicating:

31 (1) that the governing body is requesting public utilities or
 32 qualified providers to propose conservation measures through:

33 (A) a utility efficiency program; or

34 (B) a guaranteed savings contract; and

35 (2) the date, the time, and the place where proposals must be
 36 received.

37 (c) The notice required by subsection (b) must be published two (2)
 38 times with at least one (1) week between publications:

39 (1) with each publication of notice in accordance with IC 5-3-1-1
 40 in two (2) newspapers of general circulation in the county where
 41 the school corporation or the political subdivision is located; or

42 (2) with the first publication of notice in the newspapers



1 described in subdivision (1) and the second publication of notice:

2 (A) in accordance with IC 5-3-5; and

3 (B) on the official web site of the school corporation or the
4 political subdivision.

5 The second publication must be made at least thirty (30) days before
6 the date by which proposals must be received. **This subsection expires
7 July 1, 2027.**

8 **(d) This subsection applies after June 30, 2027. The notice
9 required by subsection (b) must be published in accordance with
10 IC 5-3-1.5 in two (2) eligible publications that are published in the
11 county where the school corporation or the political subdivision is
12 located. The first date of publication must be made at least
13 thirty-seven (37) days before the date by which proposals must be
14 received.**

15 ~~(d)~~ (e) An agreement to participate in a utility efficiency program or
16 guaranteed savings contract under this section must provide that:

17 (1) in the case of conservation measures other than those that are
18 part of a project related to the alteration of a water or wastewater
19 structure or system, all payments, except obligations upon the
20 termination of the agreement or contract before the agreement or
21 contract expires, may be made to the public utility or qualified
22 provider (whichever applies) in installments, not to exceed the
23 lesser of twenty (20) years or the average life of the conservation
24 measures installed from the date of final installation;

25 (2) in the case of conservation measures that are part of a project
26 related to the alteration of a water or wastewater structure or
27 system, all payments, except obligations upon the termination of
28 the agreement or contract before the agreement or contract
29 expires, may be made to the public utility or qualified provider
30 (whichever applies) in installments, not to exceed the lesser of
31 twenty (20) years or the average life of the conservation measures
32 installed from the date of final installation;

33 (3) in the case of the guaranteed savings contract:

34 (A) the:

35 (i) savings in energy and water consumption costs,
36 wastewater usage costs, and other operating costs; and

37 (ii) increase in billable revenues;

38 due to the conservation measures are guaranteed to cover the
39 costs of the payments for the measures; and

40 (B) the qualified provider will reimburse the school
41 corporation or political subdivision for the difference between
42 the guaranteed savings and the actual savings; and



1 (4) payments are subject to annual appropriation by the fiscal
 2 body of the school corporation or political subdivision and do not
 3 constitute an indebtedness of the school corporation or political
 4 subdivision within the meaning of a constitutional or statutory
 5 debt limitation.

6 SECTION 69. IC 36-1.5-4-7, AS AMENDED BY P.L.152-2021,
 7 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2022]: Sec. 7. (a) In the year before the year in which the
 9 participating political subdivisions are reorganized under this chapter:

10 (1) subject to subsection (b), the fiscal bodies of the reorganizing
 11 political subdivisions shall, in the manner provided by
 12 IC 6-1.1-17, adopt tax levies, tax rates, and a budget for the
 13 reorganized political subdivision either through the adoption of
 14 substantially identical resolutions adopted by each of the fiscal
 15 bodies or, if authorized in the plan of reorganization, through a
 16 joint board established under an agreement of the fiscal bodies on
 17 which the members of each of the fiscal bodies are represented;
 18 and

19 (2) if the reorganized political subdivision will have elected
 20 offices and different election districts than any of the reorganizing
 21 political subdivisions, the legislative bodies of the reorganizing
 22 political subdivisions shall establish the election districts either
 23 through the adoption of substantially identical resolutions adopted
 24 by each of the legislative bodies or, if authorized in the plan of
 25 reorganization, through a joint board established under an
 26 agreement of the legislative bodies on which the members of each
 27 of the legislative bodies are represented.

28 (b) This subsection applies to two (2) or more school corporations
 29 that participate in a reorganization in which the voters approve a plan
 30 of reorganization in a general election and the plan of reorganization
 31 provides for the reorganization to become effective for property taxes
 32 first due and payable in the immediately following calendar year. The
 33 participating school corporations may publish notices, hold public
 34 hearings, and take final action for the adoption of property tax levies,
 35 property tax rates, and a budget for the reorganized school corporation
 36 after the voters approve the plan of reorganization. The alternative
 37 schedule must comply with the following:

38 (1) Each participating school corporation shall give notice by
 39 publication to taxpayers of:

40 (A) the estimated budget;

41 (B) the estimated maximum permissible levy;

42 (C) the current and proposed tax levies of each fund; and



1 (D) the amounts of excessive levy appeals to be requested;
 2 for the ensuing year as set forth in subsection (c) **(before July 1,**
 3 **2027) or subsection (d) (after June 30, 2027).**

4 (2) Each participating school corporation must conduct a public
 5 hearing on the proposed tax levies, tax rates, and budget at least
 6 ten (10) days before the date the participating school corporation
 7 adopts the proposed tax levies, tax rates, and budget.

8 (3) The governing body of each participating school corporation
 9 must meet to fix the tax levies, tax rates, and budget for the
 10 ensuing year before December 6 of the year the public question
 11 is approved by the voters.

12 (4) The county auditor shall certify the adopted property tax
 13 levies, property tax rates, and budget for the reorganized school
 14 corporation to the department of local government finance before
 15 December 8 in the year in which the public question is approved
 16 by the voters.

17 Subject to subsection (d), the department of local government finance
 18 may adjust any other applicable time limit specified in IC 6-1.1-17 to
 19 be consistent with this section.

20 (c) The notice under subsection (b)(1) must be published two (2)
 21 times:

22 (1) with each publication of notice in a newspaper in accordance
 23 with IC 5-3-1; or

24 (2) with the first publication of notice in a newspaper described
 25 in subdivision (1) and the second publication of notice:

26 (A) in accordance with IC 5-3-5; and

27 (B) on the official web site of each participating school
 28 corporation.

29 The first publication of notice must be at least ten (10) days before the
 30 date fixed for the public hearing and the last publication of notice must
 31 be not later than November 24 of the year the public question is
 32 approved by the voters. **This subsection expires July 1, 2027.**

33 **(d) This subsection applies after June 30, 2027. The notice under**
 34 **subsection (b)(1) must be published in an eligible publication in**
 35 **accordance with IC 5-3-1 and IC 5-3-1.5 that is published in each**
 36 **school corporation participating in the reorganization at least ten**
 37 **(10) days before the date fixed for the public hearing.**

38 ~~(d)~~ (e) The department of local government finance is expressly
 39 directed to complete the duties assigned to it under IC 6-1.1-17-16 with
 40 respect to the submitted property tax levies, property tax rates, and
 41 budget as follows:

42 (1) For each budget year before 2019, not later than February 15



1 of that budget year.

2 (2) For each budget year after 2018, not later than December 31
3 of the year preceding that budget year, unless a taxing unit in a
4 county is issuing debt after December 1 in the year preceding the
5 budget year or intends to file a shortfall appeal under
6 IC 6-1.1-18.5-16.

7 (3) For each budget year after 2018, not later than January 15 of
8 the budget year if a taxing unit in a county is issuing debt after
9 December 1 in the year preceding the budget year or intends to
10 file a shortfall appeal under IC 6-1.1-18.5-16.

11 ~~(e)~~ (f) If a school is converted into a charter school under
12 IC 20-24-11, the charter school must, before December 1 of each year,
13 publish its estimated annual budget for the ensuing year in accordance
14 with IC 5-3-1.

15 SECTION 70. IC 36-2-4-8, AS AMENDED BY P.L.22-2021,
16 SECTION 5, AND AS AMENDED BY P.L.152-2021, SECTION 39,
17 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2022]: Sec. 8. (a) An ordinance, order, or
19 resolution is considered adopted when it is signed by the presiding
20 officer. If required, an adopted ordinance, order, or resolution must be
21 promulgated or published according to statute before it takes effect.

22 (b) An ordinance prescribing a penalty or forfeiture for a violation
23 must, before it takes effect, be published once each week for two (2)
24 consecutive weeks, according to IC 5-3-1:

25 (1) with each publication of notice in a newspaper in accordance
26 with IC 5-3-1; or

27 (2) with the first publication of notice in a newspaper described
28 in subdivision (1) and the second publication of notice:

29 (A) in accordance with IC 5-3-5; and

30 (B) on the official web site of the county.

31 **This subsection expires July 1, 2027.**

32 (c) **This subsection applies after June 30, 2027. An ordinance**
33 **prescribing a penalty or forfeiture for a violation must, before it**
34 **takes effect, be published two (2) weeks in an eligible publication**
35 **in accordance with IC 5-3-1 and IC 5-3-1.5 that is published in the**
36 **county.**

37 ~~(b)~~ (d) *However, if such an ordinance is adopted by the legislative*
38 *body of a county subject to IC 36-2-3.5 and there is an urgent necessity*
39 *requiring its immediate effectiveness, it need not be published if:*

40 (1) *the county executive proclaims the urgent necessity; and*

41 (2) *copies of the ordinance are posted in three (3) public places*
42 *in each of the districts of the county before it takes effect.*



1 ~~(e)~~ **(e)** The following apply in addition to the other requirements of
 2 this section:

3 (1) *An ordinance or resolution passed by the legislative body of*
 4 *a county subject to IC 36-2-3.5 is considered adopted only if it is:*

5 (A) *approved by signature of a majority of the county*
 6 *executive (in the case of a county subject to IC 36-2-3.5);*

7 (B) *neither approved nor vetoed by a majority of the executive*
 8 *(in the case of a county subject to IC 36-2-3.5) within ten (10)*
 9 *days after passage by the legislative body; or*

10 (C) *passed over the veto of the executive by a two-thirds (2/3)*
 11 *vote of the legislative body, within sixty (60) days after*
 12 *presentation of the ordinance or resolution to the executive.*

13 (2) Subject to subsection ~~(g)~~ **(i)**, the legislative body of a county
 14 shall:

15 (A) subject to subdivision (3), give written notice to the
 16 department of environmental management not later than sixty
 17 (60) days before amendment or repeal of an environmental
 18 restrictive ordinance; and

19 (B) give written notice to the department of environmental
 20 management not later than thirty (30) days after passage,
 21 amendment, or repeal of an environmental restrictive
 22 ordinance.

23 (3) Upon written request by the legislative body, the department
 24 of environmental management may waive the notice requirement
 25 of subdivision (2)(A).

26 (4) An environmental restrictive ordinance passed or amended
 27 after 2009 by the legislative body must state the notice
 28 requirements of subdivision (2).

29 (5) The failure of an environmental restrictive ordinance to
 30 comply with subdivision (4) does not void the ordinance.

31 ~~(f)~~ **(f)** After an ordinance or resolution passed by the legislative
 32 body of a county subject to IC 36-2-3.5 has been signed by the
 33 presiding officer, the county auditor shall present it to the county
 34 executive, and record the time of the presentation. Within ten (10) days
 35 after an ordinance or resolution is presented to it, the executive shall:

36 (1) approve the ordinance or resolution, by signature of a majority
 37 of the executive (in the case of a county subject to IC 36-2-3.5),
 38 and send the legislative body a message announcing its approval;
 39 or

40 (2) veto the ordinance or resolution, by returning it to the
 41 legislative body with a message announcing its veto and stating
 42 its reasons for the veto.



1 ~~(g)~~ **(g)** This section (other than subsection ~~(e)(2)~~ **(e)(2)**) does not
 2 apply to a zoning ordinance or amendment to a zoning ordinance, or a
 3 resolution approving a comprehensive plan, that is adopted under
 4 IC 36-7.

5 ~~(h)~~ **(h)** An ordinance increasing a building permit fee on new
 6 development must:

7 (1) be published:

8 (A) one (1) time in accordance with IC 5-3-1; and

9 (B) not later than thirty (30) days after the ordinance is
 10 adopted by the legislative body in accordance with IC 5-3-1;

11 and

12 (2) delay the implementation of the fee increase for ninety (90)
 13 days after the date the ordinance is published under subdivision

14 (1).

15 ~~(g)~~ **(i)** The notice requirements of subsection ~~(e)(2)~~ **(e)(2)** apply only
 16 if the municipal corporation received under IC 13-25-5-8.5(f) written
 17 notice that the department is relying on the environmental restrictive
 18 ordinance referred to in subsection ~~(e)(2)~~ **(e)(2)** as part of a risk based
 19 remediation proposal:

20 (1) approved by the department; and

21 (2) conducted under IC 13-22, IC 13-23, IC 13-24, IC 13-25-4, or
 22 IC 13-25-5.

23 SECTION 71. IC 36-7-9-25, AS AMENDED BY P.L.152-2021,
 24 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 25. (a) Notice of orders, notice of continued
 26 hearings without a specified date, notice of a statement that public bids
 27 are to be let, and notice of claims for payment must be given by:

28 (1) sending a copy of the order or statement by registered or
 29 certified mail to the residence or place of business or employment
 30 of the person to be notified, with return receipt requested;

31 (2) delivering a copy of the order or statement personally to the
 32 person to be notified;

33 (3) leaving a copy of the order or statement at the dwelling or
 34 usual place of abode of the person to be notified and sending by
 35 first class mail a copy of the order or statement to the last known
 36 address of the person to be notified; or

37 (4) sending a copy of the order or statement by first class mail to
 38 the last known address of the person to be notified.

39 If a notice described in subdivision (1) is returned undelivered, a copy
 40 of the order or statement must be given in accordance with subdivision
 41 (2), (3), or (4).

42 (b) If service is not obtained by a means described in subsection (a)



1 and the hearing authority concludes that a reasonable effort has been
 2 made to obtain service, service may be made by publishing a notice of
 3 the order or statement in accordance with IC 5-3-1 in the county where
 4 the unsafe premises are located. However, publication must be made
 5 two (2) times, at least one (1) week apart:

6 (1) with each publication of notice in a newspaper in accordance
 7 with IC 5-3-1 in the county where the unsafe premises are
 8 located; or

9 (2) with the first publication of notice in a newspaper described
 10 in subdivision (1) and the second publication of notice:

11 (A) in accordance with IC 5-3-5; and

12 (B) on the official web site of the county where the unsafe
 13 premises are located.

14 The second publication must be made at least three (3) days before an
 15 event described in subsection (a). If service of an order is made by
 16 publication, the publication must include the information required by
 17 section 5(b)(1), 5(b)(2), 5(b)(4), 5(b)(5), 5(b)(6), 5(b)(7), and 5(b)(9)
 18 of this chapter, and must also include a statement indicating generally
 19 what action is required by the order and that the exact terms of the
 20 order may be obtained from the enforcement authority. The hearing
 21 authority may make a determination about whether a reasonable effort
 22 has been made to obtain service by the means described in subsection
 23 (a) on the basis of information provided by the department (or, in the
 24 case of a consolidated city, the enforcement authority). The hearing
 25 authority is not required to make the determination at a hearing. The
 26 hearing authority must make the determination in writing. **This**
 27 **subsection expires July 1, 2027.**

28 **(c) This subsection applies after June 30, 2027. If service is not**
 29 **obtained by a means described in subsection (a) and the hearing**
 30 **authority concludes that a reasonable effort has been made to**
 31 **obtain service, service may be made by publishing a notice of the**
 32 **order or statement in accordance with IC 5-3-1 in the county**
 33 **where the unsafe premises are located. However, publication must**
 34 **be made in accordance with IC 5-3-1.5 with publication of notice**
 35 **in an eligible publication that is published in the county where the**
 36 **unsafe premises are located. The notice must be published at least**
 37 **seventeen (17) days before an event described in subsection (a). If**
 38 **service of an order is made by publication, the publication must**
 39 **include the information required by section 5(b)(1), 5(b)(2), 5(b)(4),**
 40 **5(b)(5), 5(b)(6), 5(b)(7), and 5(b)(9) of this chapter, and must also**
 41 **include a statement indicating generally what action is required by**
 42 **the order and that the exact terms of the order may be obtained**



1 **from the enforcement authority. The hearing authority may make**
 2 **a determination about whether a reasonable effort has been made**
 3 **to obtain service by the means described in subsection (a) on the**
 4 **basis of information provided by the department (or, in the case of**
 5 **a consolidated city, the enforcement authority). The hearing**
 6 **authority is not required to make the determination at a hearing.**
 7 **The hearing authority must make the determination in writing.**

8 ~~(c)~~ **(d)** When service is made by any of the means described in this
 9 section, except by mailing or by publication, the person making service
 10 must make an affidavit stating that the person has made the service, the
 11 manner in which service was made, to whom the order or statement
 12 was issued, the nature of the order or statement, and the date of service.
 13 The affidavit must be placed on file with the enforcement authority.

14 ~~(d)~~ **(e)** The date when notice of the order or statement is considered
 15 given is as follows:

16 (1) If the order or statement is delivered personally or left at the
 17 dwelling or usual place of abode, notice is considered given on
 18 the day when the order or statement is delivered to the person or
 19 left at the person's dwelling or usual place of abode.

20 (2) If the order or statement is mailed, notice is considered given
 21 on the date shown on the return receipt, or, if no date is shown, on
 22 the date when the return receipt is received by the enforcement
 23 authority.

24 (3) Notice by publication is considered given on the date of the
 25 second day that publication was made.

26 ~~(e)~~ **(f)** A person with a property interest in an unsafe premises who
 27 does not:

28 (1) record an instrument reflecting the interest in the recorder's
 29 office of the county where the unsafe premises is located; or

30 (2) if an instrument reflecting the interest is not recorded, provide
 31 to the department (or, in the case of a consolidated city, the
 32 enforcement authority) in writing the person's name and address
 33 and the location of the unsafe premises;

34 is considered to consent to reasonable action taken under this chapter
 35 for which notice would be required and relinquish a claim to notice
 36 under this chapter.

37 ~~(f)~~ **(g)** The department (or, in the case of a consolidated city, the
 38 enforcement authority) may, for the sake of administrative
 39 convenience, publish notice under subsection (b) **(before July 1, 2027)**
 40 **or subsection (c) (after June 30, 2027)** at the same time notice is
 41 attempted under subsection (a). If published notice is given as
 42 described in subsection (b) **(before July 1, 2027) or subsection (c)**



1 **(after June 30, 2027)**, the hearing authority shall subsequently make
 2 a determination about whether a reasonable effort has been made to
 3 obtain service by the means described in subsection (a).

4 SECTION 72. IC 36-10-4-5, AS AMENDED BY P.L.152-2021,
 5 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2022]: Sec. 5. (a) In a second class city, the board may adopt
 7 a resolution to extend the boundaries of the district to the county
 8 boundaries unless the county has already established a park district
 9 under IC 36-10-3. The board must file a certified copy of the resolution
 10 with the county auditor and county treasurer. Notice of the adoption of
 11 the resolution shall be given by publication once each week for two (2)
 12 weeks in accordance with IC 5-3-1:

13 (1) with each publication of notice in a newspaper in accordance
 14 with IC 5-3-1 in the county; or

15 (2) with the first publication of notice in a newspaper described
 16 in subdivision (1) and the second publication of notice:

17 (A) in accordance with IC 5-3-5; and

18 (B) on the official web site of the county.

19 **This subsection expires July 1, 2027.**

20 **(b) This subsection applies after June 30, 2027. In a second class**
 21 **city, the board may adopt a resolution to extend the boundaries of**
 22 **the district to the county boundaries unless the county has already**
 23 **established a park district under IC 36-10-3. The board must file**
 24 **a certified copy of the resolution with the county auditor and**
 25 **county treasurer. Notice of the adoption of the resolution shall be**
 26 **given by publication for at least two (2) weeks in accordance with**
 27 **IC 5-3-1 and IC 5-3-1.5 with publication of notice in an eligible**
 28 **publication that is published in the county.**

29 ~~(b)~~ (c) Whenever the board has adopted a resolution under
 30 subsection (a), remonstrances may be filed by the affected voters
 31 within ninety (90) days after the last publication under subsection (a).
 32 Remonstrances must be signed in ink by the voter in person and state
 33 the address of each signer and that the signer is a registered voter. A
 34 person who signs a remonstrance when the person is not a registered
 35 voter commits a Level 6 felony. More than one (1) voter may sign the
 36 same remonstrance.

37 ~~(c)~~ (d) A vote on the public question shall be held if at least the
 38 number of the registered voters of the county required under IC 3-8-6-3
 39 to place a candidate on the ballot file remonstrances under subsection
 40 (b) with the county clerk protesting the extension of the district.

41 ~~(d)~~ (e) The county clerk shall certify to the county election board in
 42 accordance with IC 3-10-9-3 whether or not the required number of



1 registered voters of the county have filed remonstrances. If sufficient
 2 remonstrances have been filed, the county election board shall publish
 3 a notice of the election once a week for two (2) consecutive weeks in
 4 accordance with IC 5-3-1-4:

5 (1) with each publication of notice in a newspaper in accordance
 6 with IC 5-3-1 in the county; or

7 (2) with the first publication of notice in a newspaper described
 8 in subdivision (1) and the second publication of notice:

9 (A) in accordance with IC 5-3-5; and

10 (B) on the official web site of the county.

11 The first publication of the notice must be at least thirty (30) days
 12 before the date of the election. The question presented to the voters at
 13 the election shall be placed on the ballot in the form prescribed by
 14 IC 3-10-9-4 and must state "Shall the county park district be
 15 established?". The election is governed by IC 3 whenever not in
 16 conflict with this chapter. The county election board shall make a
 17 return of the votes cast at the referendum. **This subsection expires**
 18 **July 1, 2027.**

19 **(f) This subsection applies after June 30, 2027. The county clerk**
 20 **shall certify to the county election board in accordance with**
 21 **IC 3-10-9-3 whether or not the required number of registered**
 22 **voters of the county have filed remonstrances. If sufficient**
 23 **remonstrances have been filed, the county election board shall**
 24 **publish a notice of the election in accordance with IC 5-3-1-4.1 and**
 25 **IC 5-3-1.5 with publication of notice:**

26 **(1) in an eligible publication that is published in the county;**
 27 **and**

28 **(2) with the first date of publication at least thirty (30) days**
 29 **before the date of the election.**

30 **The question presented to the voters at the election shall be placed**
 31 **on the ballot in the form prescribed by IC 3-10-9-4 and must state**
 32 **"Shall the county park district be established?". The election is**
 33 **governed by IC 3 whenever not in conflict with this chapter. The**
 34 **county election board shall make a return of the votes cast at the**
 35 **referendum.**

36 ~~(e)~~ **(g)** If a majority of the votes cast are against the extension of the
 37 district, the district is not extended. If sufficient remonstrances are not
 38 filed or if a majority of the votes cast support the extension of the
 39 district, the district is extended.

40 ~~(f)~~ **(h)** The extension of the district is effective on January 1 of the
 41 year following the adoption of the resolution or, if an election is held,
 42 on January 1 of the year following the date of the election.



1 ~~(g)~~ **(i)** A municipality that becomes part of a district by reason of the
 2 extension of the district under this section may continue to establish,
 3 maintain, and operate parks and other recreational facilities under any
 4 other law. The parks and other recreational facilities shall be operated
 5 by the municipality separate from the parks and other recreational
 6 facilities under the jurisdiction of the board in the same manner as they
 7 would be operated by the municipality if it was not within the district.

8 ~~(h)~~ **(j)** The operation of separate parks or recreational facilities by
 9 a municipality does not affect the obligation of property owners within
 10 the municipality to pay all taxes imposed on property within the
 11 district.

12 ~~(i)~~ **(k)** The legislative body of a municipality may elect that the
 13 separate parks or other recreational facilities of the municipality be
 14 maintained or operated as a part of the district by adopting a resolution
 15 or an ordinance to that effect. The separate park or other recreational
 16 facility comes under the jurisdiction of the board at the time specified
 17 in the resolution or ordinance.

18 SECTION 73. IC 36-10-11-22, AS AMENDED BY P.L.152-2021,
 19 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2022]: Sec. 22. (a) In lieu of authorizing and selling bonds as
 21 provided in this section, the board may adopt a resolution authorizing
 22 the negotiation of a loan or loans for the purpose of procuring the
 23 required funds. The resolution must set out the total amount of the loan
 24 desired and the approximate dates on which funds will be required and
 25 the amounts of them. The resolution must also set out the terms,
 26 conditions, and restrictions relative to the proposed loan or to the
 27 submission of proposals that the board considers advisable.

28 **(b)** Before the consideration of proposals for the making of a loan,
 29 a notice shall be published once each week for two (2) weeks:

30 (1) with each publication in a newspaper published in the county
 31 and a newspaper published in the city of Indianapolis; or

32 (2) with the first publication of notice in each newspaper
 33 described in subdivision (1) and the second publication of notice:

34 (A) in accordance with IC 5-3-5; and

35 (B) on the official web sites of the county and the city of
 36 Indianapolis.

37 The notice must set out the amount and purpose of the proposed loan
 38 and a brief summary of other provisions of the resolution, including the
 39 time and place where proposals will be considered. The board may
 40 accept the proposal that in its judgment is the most advantageous to the
 41 authority. **This subsection expires July 1, 2027.**

42 **(c) This subsection applies after June 30, 2027. Consideration of**



1 proposals for making a loan may not occur until at least fourteen
 2 (14) days after the first date that notice is published in accordance
 3 with IC 5-3-1.5 in an eligible publication published in the county
 4 and an eligible publication published in the city of Indianapolis.
 5 The notice must set out the amount and purpose of the proposed
 6 loan and a brief summary of other provisions of the resolution,
 7 including the time and place where proposals will be considered.
 8 The board may accept the proposal that in its judgment is the most
 9 advantageous to the authority.

10 ~~(b)~~ (d) The total amount of loans negotiated by the authority under
 11 this section, when added to the amount of bonds issued under section
 12 21 of this chapter, may not exceed three million dollars (\$3,000,000).

13 SECTION 74. IC 36-11-9-5, AS AMENDED BY P.L.152-2021,
 14 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2022]: Sec. 5. (a) After introduction of the ordinance initially
 16 fixing rates and charges but before the ordinance is finally adopted,
 17 notice of the hearing setting forth the proposed schedule of the rates
 18 and charges must be given by publication one (1) time each week for
 19 two (2) weeks:

20 (1) with each publication of notice in a newspaper of general
 21 circulation in the county; or

22 (2) with the first publication of notice in a newspaper described
 23 in subdivision (1) and the second publication of notice:

24 (A) in accordance with IC 5-3-5; and

25 (B) on the official web site of the county.

26 The second publication must be at least seven (7) days before the date
 27 fixed in the notice for the hearing. The hearing may be adjourned as
 28 necessary. **This subsection expires July 1, 2027.**

29 **(b) This subsection applies after June 30, 2027. After**
 30 **introduction of the ordinance initially fixing rates and charges but**
 31 **before the ordinance is finally adopted, notice of the hearing setting**
 32 **forth the proposed schedule of the rates and charges must be given**
 33 **by publication at least fourteen (14) days before the hearing in**
 34 **accordance with IC 5-3-1.5 in an eligible publication published in**
 35 **the county. The hearing may be adjourned as necessary.**

36 SECTION 75. [EFFECTIVE JULY 1, 2022] (a) **The legislative**
 37 **services agency shall prepare legislation for introduction in the**
 38 **2023 regular session of the general assembly to organize and**
 39 **correct statutes affected by this act.**

40 **(b) This SECTION expires January 1, 2024.**

