

HOUSE BILL No. 1251

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-7.6-18.

Synopsis: Adjusting county portion of NIRPC budget. Requires the northwestern Indiana regional planning commission (NIRPC), beginning with NIRPC's 2026 budget and for each year thereafter, to annually adjust each participating county's portion of the budget for the ensuing year by the greater of the following: (1) The annual percentage change in the Consumer Price Index for all Urban Consumers. (2) The participating county's maximum levy growth quotient for the ensuing year.

Effective: July 1, 2024.

Slager

January 9, 2024, read first time and referred to Committee on Ways and Means.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1251

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-7-7.6-18, AS AMENDED BY P.L.197-2016,
2 SECTION 124, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: Sec. 18. (a) The commission shall
4 prepare and adopt an annual appropriation budget for its operation. The
5 appropriation budget shall be apportioned to each participating county
6 on a pro rata per capita basis. After adoption of the appropriation
7 budget, any amount that does not exceed an amount for each
8 participating county equal to ~~seventy cents (\$0.70)~~ **one dollar and fifty**
9 **cents (\$1.50)** per capita for each participating county shall be certified
10 to the respective county auditor.

11 **(b) Beginning in 2025 for the ensuing year and each year**
12 **thereafter, the commission shall adjust a participating county's**
13 **portion of the commission's appropriation budget for the ensuing**
14 **year by the greater of the following:**

15 **(1) The annual percentage change in the Consumer Price**
16 **Index for all Urban Consumers as published by the United**
17 **States Bureau of Labor Statistics for the year preceding the**



1 ensuing year.

2 **(2) The participating county's maximum levy growth quotient**
 3 **for the ensuing year as determined under IC 6-1.1-18.5-2.**

4 **Not later than August 1 of each year, the department of local**
 5 **government finance shall provide to the commission the value of**
 6 **each participating county's maximum levy growth quotient under**
 7 **IC 6-1.1-18.5-2 for the ensuing year.**

8 ~~(b)~~ **(c)** A county's portion of the commission's appropriation budget
 9 may be paid from any of the following, as determined by the county
 10 fiscal body:

11 (1) Property tax revenue as provided in subsections ~~(c)~~ and (d)
 12 **and (e).**

13 (2) Any other local revenue, other than property tax revenue,
 14 received by the county, including local income tax revenue under
 15 IC 6-3.6, excise tax revenue, riverboat admissions tax revenue,
 16 riverboat wagering tax revenue, riverboat incentive payments, and
 17 any funds received from the state that may be used for this
 18 purpose.

19 **(3) Any combination of the sources set forth in subdivisions**
 20 **(1) and (2).**

21 ~~(c)~~ **(d)** The county auditor shall:

22 (1) advertise the amount of property taxes that the county fiscal
 23 body determines will be levied to pay the county's portion of the
 24 commission's appropriation budget, after the county fiscal body
 25 determines the amount of other local revenue that will be paid
 26 under subsection ~~(b)(2)~~; **(c)(2)**; and

27 (2) establish the rate necessary to collect that property tax
 28 revenue;

29 in the same manner as for other county budgets.

30 ~~(d)~~ **(e)** The tax levied under this section and certified shall be
 31 estimated and entered upon the tax duplicates by the county auditor and
 32 shall be collected and enforced by the county treasurer in the same
 33 manner as other county taxes are estimated, entered, collected, and
 34 enforced. The tax collected by the county treasurer shall be transferred
 35 to the commission.

36 ~~(e)~~ **(f)** In fixing and determining the amount of the necessary levy
 37 for the purpose provided in this section, the commission shall take into
 38 consideration the amount of revenue, if any, to be derived from federal
 39 grants, contractual services, and miscellaneous revenues above the
 40 amount of those revenues considered necessary to be applied upon or
 41 reserved upon the operation, maintenance, and administrative expenses
 42 for working capital throughout the year.



1 ~~(f)~~ **(g)** After the budget is approved, amounts may not be expended
2 except as budgeted unless the commission authorizes their expenditure.
3 Before the expenditure of sums appropriated as provided in this
4 section, a claim must be filed and processed as other claims for
5 allowance or disallowance for payment as provided by law.

6 ~~(g)~~ **(h)** Any two (2) of the following officers may allow claims:

- 7 (1) Chairperson.
- 8 (2) Vice chairperson.
- 9 (3) Secretary.
- 10 (4) Treasurer.

11 ~~(h)~~ **(i)** The treasurer of the commission may receive, disburse, and
12 otherwise handle funds of the commission, subject to applicable
13 statutes and to procedures established by the commission.

14 ~~(i)~~ **(j)** The commission shall act as a board of finance under the
15 statutes relating to the deposit of public funds by political subdivisions.

16 ~~(j)~~ **(k)** Any appropriated money remaining unexpended or
17 unencumbered at the end of a year becomes part of a nonreverting
18 cumulative fund to be held in the name of the commission. Unbudgeted
19 expenditures from this fund may be authorized by vote of the
20 commission and upon other approval as required by statute. The
21 commission is responsible for the safekeeping and deposit of the
22 amounts in the nonreverting cumulative fund, and the state board of
23 accounts shall prescribe the methods and forms for keeping the
24 accounts, records, and books to be used by the commission. The books,
25 records, and accounts of the commission shall be audited periodically
26 by the state board of accounts, and those audits shall be paid for as
27 provided by statute.

