

HOUSE BILL No. 1262

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10; IC 3-11-2-12; IC 3-13-10-3; IC 6-1.1; IC 36-2-15-0.3; IC 36-6; IC 36-7; IC 36-9-11.1-11.

Synopsis: Township assessors. Abolishes the office of township assessor, effective January 1, 2023. Transfers the duties of the township assessor to the county assessor of the county in which the township is located. Provides that if the office of township assessor becomes vacant before January 1, 2023, the office is abolished and the duties of the township assessor are transferred to the county assessor.

Effective: Upon passage; July 1, 2021.

Engleman, Pressel

January 14, 2021, read first time and referred to Committee on Government and Regulatory Reform.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1262

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 3-10-1-19, AS AMENDED BY P.L.278-2019,
2 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 19. (a) The ballot for a primary election shall be
4 printed in substantially the form described in this section for all the
5 offices for which candidates have qualified under IC 3-8.

6 (b) The following shall be printed as the heading for the ballot for
7 a political party:

8 "OFFICIAL PRIMARY BALLOT
9 _____ Party (insert the name of the political party)".

10 (c) The following shall be printed immediately below the heading
11 required by subsection (b) or be posted in each voting booth as
12 provided in IC 3-11-2-8(b):

13 (1) For paper ballots, print: To vote for a person, make a voting
14 mark (X or ✓) on or in the box before the person's name in the
15 proper column.

16 (2) For optical scan ballots, print: To vote for a person, darken or
17 shade in the circle, oval, or square (or draw a line to connect the



- 1 arrow) that precedes the person's name in the proper column.
 2 (3) For optical scan ballots that do not contain a candidate's name,
 3 print: To vote for a person, darken or shade in the oval that
 4 precedes the number assigned to the person's name in the proper
 5 column.
 6 (4) For electronic voting systems, print: To vote for a person,
 7 touch the screen (or press the button) in the location indicated.
 8 (d) Local public questions shall be placed on the primary election
 9 ballot after the heading and the voting instructions described in
 10 subsection (c) (if the instructions are printed on the ballot) and before
 11 the offices described in subsection (g).
 12 (e) The local public questions described in subsection (d) shall be
 13 placed as follows:
 14 (1) In a separate column on the ballot if voting is by paper ballot.
 15 (2) After the heading and the voting instructions described in
 16 subsection (c) (if the instructions are printed on the ballot) and
 17 before the offices described in subsection (g), in the form
 18 specified in IC 3-11-13-11 if voting is by ballot card.
 19 (3) As provided by either of the following if voting is by an
 20 electronic voting system:
 21 (A) On a separate screen for a public question.
 22 (B) After the heading and the voting instructions described in
 23 subsection (c) (if the instructions are printed on the ballot) and
 24 before the offices described in subsection (g), in the form
 25 specified in IC 3-11-14-3.5.
 26 (f) A public question shall be placed on the primary election ballot
 27 in the following form:
 28 (The explanatory text for the public question,
 29 if required by law.)
 30 "Shall (insert public question)?"
 31 YES
 32 NO
 33 (g) The offices with candidates for nomination shall be placed on
 34 the primary election ballot in the following order:
 35 (1) Federal and state offices:
 36 (A) President of the United States.
 37 (B) United States Senator.
 38 (C) Governor.
 39 (D) United States Representative.
 40 (2) Legislative offices:
 41 (A) State senator.
 42 (B) State representative.



- 1 (3) Circuit offices and county judicial offices:
 2 (A) Judge of the circuit court, and unless otherwise specified
 3 under IC 33, with each division separate if there is more than
 4 one (1) judge of the circuit court.
 5 (B) Judge of the superior court, and unless otherwise specified
 6 under IC 33, with each division separate if there is more than
 7 one (1) judge of the superior court.
 8 (C) Judge of the probate court.
 9 (D) Prosecuting attorney.
 10 (E) Circuit court clerk.
- 11 (4) County offices:
 12 (A) County auditor.
 13 (B) County recorder.
 14 (C) County treasurer.
 15 (D) County sheriff.
 16 (E) County coroner.
 17 (F) County surveyor.
 18 (G) County assessor.
 19 (H) County commissioner.
 20 (I) County council member.
- 21 (5) Township offices:
 22 ~~(A) Township assessor (only in a township referred to in~~
 23 ~~IC 36-6-5-1(d)).~~
 24 ~~(B)~~ (A) Township trustee.
 25 ~~(C)~~ (B) Township board member.
 26 ~~(D)~~ (C) Judge of the small claims court.
 27 ~~(E)~~ (D) Constable of the small claims court.
- 28 (6) City offices:
 29 (A) Mayor.
 30 (B) Clerk or clerk-treasurer.
 31 (C) Judge of the city court.
 32 (D) City-county council member or common council member.
- 33 (7) Town offices:
 34 (A) Clerk-treasurer.
 35 (B) Judge of the town court.
 36 (C) Town council member.
- 37 (h) The political party offices with candidates for election shall be
 38 placed on the primary election ballot in the following order after the
 39 offices described in subsection (g):
 40 (1) Precinct committeeman.
 41 (2) State convention delegate.
 42 (i) The local offices to be elected at the primary election shall be



1 placed on the primary election ballot after the offices described in
2 subsection (h).

3 (j) The offices described in subsection (i) shall be placed as follows:

4 (1) In a separate column on the ballot if voting is by paper ballot.

5 (2) After the offices described in subsection (h) in the form
6 specified in IC 3-11-13-11 if voting is by ballot card.

7 (3) Either:

8 (A) on a separate screen for each office or public question; or

9 (B) after the offices described in subsection (h) in the form
10 specified in IC 3-11-14-3.5;

11 if voting is by an electronic voting system.

12 SECTION 2. IC 3-10-2-13, AS AMENDED BY P.L.278-2019,
13 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2021]: Sec. 13. The following public officials shall be elected
15 at the general election before their terms of office expire and every four

16 (4) years thereafter:

17 (1) Clerk of the circuit court.

18 (2) County auditor.

19 (3) County recorder.

20 (4) County treasurer.

21 (5) County sheriff.

22 (6) County coroner.

23 (7) County surveyor.

24 (8) County assessor.

25 (9) County commissioner.

26 (10) County council member.

27 (11) Township trustee.

28 (12) Township board member.

29 ~~(13) Township assessor (only in a township referred to in~~
30 ~~IC 36-6-5-1(d)).~~

31 ~~(14)~~ **(13)** Judge of a small claims court.

32 ~~(15)~~ **(14)** Constable of a small claims court.

33 SECTION 3. IC 3-11-2-12, AS AMENDED BY P.L.278-2019,
34 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2021]: Sec. 12. The following offices shall be placed on the
36 general election ballot in the following order after the public questions
37 described in section 10(a) of this chapter:

38 (1) Federal and state offices:

39 (A) President and Vice President of the United States.

40 (B) United States Senator.

41 (C) Governor and lieutenant governor.

42 (D) Secretary of state.



- 1 (E) Auditor of state.
 2 (F) Treasurer of state.
 3 (G) Attorney general.
 4 (H) United States Representative.
 5 (2) Legislative offices:
 6 (A) State senator.
 7 (B) State representative.
 8 (3) Circuit offices and county judicial offices:
 9 (A) Judge of the circuit court, and unless otherwise specified
 10 under IC 33, with each division separate if there is more than
 11 one (1) judge of the circuit court.
 12 (B) Judge of the superior court, and unless otherwise specified
 13 under IC 33, with each division separate if there is more than
 14 one (1) judge of the superior court.
 15 (C) Judge of the probate court.
 16 (D) Prosecuting attorney.
 17 (E) Clerk of the circuit court.
 18 (4) County offices:
 19 (A) County auditor.
 20 (B) County recorder.
 21 (C) County treasurer.
 22 (D) County sheriff.
 23 (E) County coroner.
 24 (F) County surveyor.
 25 (G) County assessor.
 26 (H) County commissioner.
 27 (I) County council member, except as provided in section 12.4
 28 of this chapter.
 29 (5) Township offices:
 30 ~~(A) Township assessor (only in a township referred to in~~
 31 ~~IC 36-6-5-1(d)):~~
 32 ~~(B)~~ (A) Township trustee.
 33 ~~(C)~~ (B) Township board member, except as provided in
 34 section 12.4 of this chapter.
 35 ~~(D)~~ (C) Judge of the small claims court.
 36 ~~(E)~~ (D) Constable of the small claims court.
 37 (6) City offices:
 38 (A) Mayor.
 39 (B) Clerk or clerk-treasurer.
 40 (C) Judge of the city court.
 41 (D) City-county council member or common council member,
 42 except as provided in section 12.4 of this chapter.



1 (7) Town offices:

2 (A) Clerk-treasurer.

3 (B) Judge of the town court.

4 (C) Town council member, except as provided in section 12.4
5 of this chapter.

6 SECTION 4. IC 3-13-10-3, AS AMENDED BY P.L.119-2005,
7 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: Sec. 3. (a) This section applies to a vacancy in the
9 office of township assessor. ~~not covered by section 1 of this chapter.~~

10 (b) ~~A vacancy shall be filled by the county assessor, subject to the~~
11 ~~approval of the department of local government finance. Except as~~
12 ~~provided in subsection (c), the county assessor shall make the~~
13 ~~appointment not later than thirty (30) days after the vacancy occurs. If~~
14 ~~the vacancy occurred because the elected township assessor failed to~~
15 ~~qualify or was removed, the person who is appointed must be of the~~
16 ~~same political party as the elected township assessor.~~

17 (c) ~~If a vacancy exists because of the death of the township assessor,~~
18 ~~the county assessor shall make the appointment required by subsection~~
19 ~~(b) not later than thirty (30) days after the county assessor receives~~
20 ~~notice of the death under IC 5-8-6. The county assessor may not fill the~~
21 ~~vacancy as required by subsection (b) until the county assessor receives~~
22 ~~notice of the death under IC 5-8-6.~~

23 (b) **Notwithstanding section 1 of this chapter or any other law,**
24 **if the office of township assessor becomes vacant, all of the**
25 **following apply:**

26 (1) **The vacancy may not be filled.**

27 (2) **The office of township assessor is abolished in that**
28 **township, as provided in IC 36-6-5-5.**

29 (3) **The county assessor of the county in which the township is**
30 **located shall assume the duties of the township assessor as**
31 **provided in IC 36-6-5-5.**

32 (c) **This section expires January 1, 2023.**

33 SECTION 5. IC 6-1.1-5-9, AS AMENDED BY P.L.146-2008,
34 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2021]: Sec. 9. In a county containing a consolidated city

36 (1) ~~the township assessor has the duties and authority described~~
37 ~~in sections 1 through 8 of this chapter; and~~

38 (2) ~~the county assessor has the duties and authority described in~~
39 ~~sections 1 through 8 of this chapter. ~~for a township for which~~~~
40 ~~there is no township assessor.~~

41 These duties and authority include effecting the transfer of title to real
42 property and preparing, maintaining, approving, correcting, indexing,



1 and publishing the list or record of, or description of title to, real
 2 property. If a court renders a judgment for the partition or transfer of
 3 real property located in a county containing a consolidated city, the
 4 clerk of the court shall deliver the transcript to the county assessor.

5 SECTION 6. IC 6-1.1-5.5-12, AS AMENDED BY P.L.144-2008,
 6 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2021]: Sec. 12. (a) A party to a conveyance who:

8 (1) either:

9 (A) files a sales disclosure form that does not contain all of the
 10 information required by this chapter; or

11 (B) files a sales disclosure form that contains inaccurate
 12 information;

13 and receives from ~~the township assessor (in a county containing~~
 14 ~~a consolidated city)~~ or the county assessor (~~in any other county~~)
 15 written notice of the problems described in clause (A) or (B); and

16 (2) fails to file a correct sales disclosure form that fully complies
 17 with all requirements of this chapter within thirty (30) days after
 18 the date of the notice under subdivision (1);

19 is subject to a penalty in the amount determined under subsection (b).

20 (b) The amount of the penalty under subsection (a) is the greater of:

21 (1) one hundred dollars (\$100); or

22 (2) twenty-five thousandths percent (0.025%) of the sale price of
 23 the real property transferred under the conveyance document.

24 ~~(c) The township assessor in a county containing a consolidated city;~~
 25 ~~or the county assessor in any other county;~~ shall:

26 (1) determine the penalty imposed under this section;

27 (2) assess the penalty to the party to a conveyance; and

28 (3) notify the party to the conveyance that the penalty is payable
 29 not later than thirty (30) days after notice of the assessment.

30 (d) The county auditor shall:

31 (1) collect the penalty imposed under this section;

32 (2) deposit penalty collections as required under section 4 of this
 33 chapter; and

34 (3) notify the county prosecuting attorney of delinquent payments.

35 (e) The county prosecuting attorney shall initiate an action to
 36 recover a delinquent penalty under this section. In a successful action
 37 against a person for a delinquent penalty, the court shall award the
 38 county prosecuting attorney reasonable attorney's fees.

39 SECTION 7. IC 6-1.1-18.5-4.5, AS AMENDED BY P.L.1-2010,
 40 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2021]: Sec. 4.5. The department of local government finance
 42 shall adjust the maximum permissible ad valorem tax levy of each



1 county and township to reflect any transfer of duties between assessors
 2 under IC 36-2-15-5, or IC 36-6-5-2 (repealed), **IC 36-6-5-5, or**
 3 **IC 36-6-5-6.**

4 SECTION 8. IC 36-2-15-0.3 IS REPEALED [EFFECTIVE JULY
 5 1, 2021]. Sec. 0.3: (a) The following are transferred to the county
 6 assessor:

7 (1) On July 1, 2008:

8 (A) employment positions as of June 30, 2008; of each elected
 9 township assessor in the county whose duties relating to the
 10 assessment of tangible property are transferred to the county
 11 assessor under IC 36-6-5-1(h); as added by P.L.146-2008;
 12 including:

13 (i) the employment position of the elected township
 14 assessor; and

15 (ii) the employment positions of all employees of the elected
 16 township assessor;

17 (B) real and personal property of:

18 (i) elected township assessors in the county whose duties
 19 relating to the assessment of tangible property are
 20 transferred to the county assessor under IC 36-6-5-1(h); as
 21 added by P.L.146-2008; and

22 (ii) township trustee-assessors in the county;

23 used solely to carry out property assessment duties;

24 (C) obligations outstanding on June 30, 2008; of:

25 (i) elected township assessors in the county whose duties
 26 relating to the assessment of tangible property are
 27 transferred to the county assessor under IC 36-6-5-1(h); as
 28 added by P.L.146-2008; and

29 (ii) township trustee-assessors in the county;

30 relating to the assessment of tangible property; and

31 (D) funds of:

32 (i) elected township assessors in the county whose duties
 33 relating to the assessment of tangible property are
 34 transferred to the county assessor under IC 36-6-5-1(h); as
 35 added by P.L.146-2008; and

36 (ii) township trustee-assessors in the county;

37 on hand for the purpose of carrying out property assessment
 38 duties in the amount determined by the county auditor.

39 (2) On January 1, 2009:

40 (A) employment positions as of December 31, 2008; of each
 41 elected township assessor in the county whose duties relating
 42 to the assessment of tangible property are transferred to the



1 county assessor as the result of a referendum under this
 2 chapter, as amended by P.L.146-2008, including:

3 (i) the employment position of the elected township
 4 assessor; and

5 (ii) the employment positions of all employees of the elected
 6 township assessor;

7 (B) real and personal property of elected township assessors in
 8 the county whose duties relating to the assessment of tangible
 9 property are transferred to the county assessor as the result of
 10 a referendum under this chapter, as amended by P.L.146-2008;
 11 used solely to carry out property assessment duties;

12 (C) obligations outstanding on December 31, 2008, of elected
 13 township assessors in the county whose duties relating to the
 14 assessment of tangible property are transferred to the county
 15 assessor as the result of a referendum under this chapter, as
 16 amended by P.L.146-2008, relating to the assessment of
 17 tangible property; and

18 (D) funds of elected township assessors in the county whose
 19 duties relating to the assessment of tangible property are
 20 transferred to the county assessor as the result of a referendum
 21 under this chapter, as amended by P.L.146-2008, on hand for
 22 the purpose of carrying out property assessment duties in the
 23 amount determined by the county auditor.

24 (b) Before July 1, 2008, the county assessor shall interview, or give
 25 the opportunity to interview to, each individual who:

26 (1) is an employee of:

27 (A) an elected township assessor in the county whose duties
 28 relating to the assessment of tangible property are transferred
 29 to the county assessor under IC 36-6-5-1(h), as added by
 30 P.L.146-2008; or

31 (B) a trustee-assessor in the county;

32 as of March 19, 2008; and

33 (2) applies before June 1, 2008, for an employment position
 34 referred to in subsection (a)(1)(A).

35 (c) Before December 31, 2008, the county assessor shall interview,
 36 or give the opportunity to interview to, each individual who:

37 (1) is an employee of an elected township assessor in the county
 38 whose duties relating to the assessment of tangible property are
 39 transferred to the county assessor as the result of a referendum
 40 under this chapter, as amended by P.L.146-2008, as of March 19,
 41 2008; and

42 (2) applies before December 1, 2008, for an employment position



1 referred to in subsection (a)(2)(A):

2 (d) A township served on June 30, 2008, by a township assessor
3 whose duties relating to the assessment of tangible property are
4 transferred to the county assessor under IC 36-6-5-1(h), as added by
5 P.L.146-2008 shall transfer to the county assessor all revenue received
6 after the date of the transfer that is received by the township for the
7 purpose of carrying out property assessment duties in the amount
8 determined by the county auditor:

9 SECTION 9. IC 36-6-1.5-7, AS ADDED BY P.L.240-2005,
10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2021]: Sec. 7. If township governments merge under this
12 chapter,

13 (1) IC 36-6-6 applies to the election of the township board and

14 (2) IC 36-6-5-1 applies to the election of a township assessor;

15 of the new township government.

16 SECTION 10. IC 36-6-5-1, AS AMENDED BY P.L.167-2015,
17 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2021]: Sec. 1. (a) Subject to subsection (g), before 2009, a
19 township assessor shall be elected under IC 3-10-2-13 by the voters of
20 each township:

21 (1) having:

22 (A) a population of more than eight thousand (8,000); or

23 (B) an elected township assessor or the authority to elect a
24 township assessor before January 1, 1979; and

25 (2) in which the number of parcels of real property on January 1,
26 2008, is at least fifteen thousand (15,000):

27 (b) Subject to subsection (g), before 2009, a township assessor shall
28 be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each
29 township:

30 (1) having a population of more than five thousand (5,000) but
31 not more than eight thousand (8,000); if:

32 (A) the legislative body of the township, by resolution,
33 declares that the office of township assessor is necessary; and

34 (B) the resolution is filed with the county election board not
35 later than the first date that a declaration of candidacy may be
36 filed under IC 3-8-2; and

37 (2) in which the number of parcels of real property on January 1,
38 2008, is at least fifteen thousand (15,000):

39 (c) Subject to subsection (g), a township government that is created
40 by merger under IC 36-6-1.5 shall elect only one (1) township assessor
41 under this section:

42 (d) Subject to subsection (g), after 2008 a township assessor shall



1 be elected under IC 3-10-2-13 only by the voters of each township in
2 which:

- 3 (1) the number of parcels of real property on January 1, 2008, is
- 4 at least fifteen thousand (15,000); and
- 5 (2) the transfer to the county assessor of the assessment duties
- 6 prescribed by IC 6-1.1 is disapproved in the referendum under
- 7 IC 36-2-15.

8 (e) (a) The township assessor must reside within the township as
9 provided in Article 6, Section 6 of the Constitution of the State of
10 Indiana. The assessor forfeits office if the assessor ceases to be a
11 resident of the township.

12 (f) (b) The term of office of a township assessor is four (4) years,
13 beginning January 1 after election. and continuing until a successor is
14 elected and qualified. However, the term of office of a township
15 assessor elected at a general election in which no other township
16 officer is elected ends on December 31 after the next election in which
17 any other township officer is elected.

18 (g) (c) To be eligible to serve as a township assessor, an individual
19 must meet the following qualifications before taking office:

- 20 (1) If the individual has never held the office of township
- 21 assessor, the individual must have attained a level two
- 22 assessor-appraiser certification under IC 6-1.1-35.5.
- 23 (2) If the individual has held the office of township assessor, the
- 24 individual must have attained a level three assessor-appraiser
- 25 certification under IC 6-1.1-35.5.

26 (h) After June 30, 2008, the county assessor shall perform the
27 assessment duties prescribed by IC 6-1.1 in a township in which the
28 number of parcels of real property on January 1, 2008, is less than
29 fifteen thousand (15,000).

30 (d) This section expires January 1, 2023.

31 SECTION 11. IC 36-6-5-3, AS AMENDED BY P.L.146-2008,
32 SECTION 711, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Except as provided in
34 subsection (b), the assessor shall perform the duties prescribed by
35 statute, including assessment duties prescribed by IC 6-1.1.

36 (b) Subsection (a) does not apply if the duties of the township
37 assessor have been transferred to the county assessor as described in
38 IC 6-1.1-1-24 or IC 36-2-15.

39 (c) This section expires January 1, 2023.

40 SECTION 12. IC 36-6-5-4, AS AMENDED BY P.L.167-2015,
41 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2021]: Sec. 4. (a) Before July 1, 2017, an employee of a



1 township assessor who performs real property assessing duties must
 2 have attained the level of certification under IC 6-1.1-35.5 that the
 3 township assessor is required to attain under section ~~†(g)~~ **1(c)** of this
 4 chapter.

5 (b) After June 30, 2017, an employee of a township assessor who is
 6 responsible for placing an assessed valuation on real property must
 7 have attained the certification of a level three assessor-appraiser under
 8 IC 6-1.1-35.5.

9 (c) This subsection applies after June 30, 2017. If the township
 10 assessor has not attained the certification of a level three
 11 assessor-appraiser under IC 6-1.1-35.5, the township fiscal body shall
 12 authorize either of the following:

13 (1) The appointment of at least one (1) deputy or employee who
 14 has attained the certification of a level three assessor-appraiser
 15 under IC 6-1.1-35.5.

16 (2) Contracting with a person who has attained, or who employs
 17 for purposes of the contract an individual who has attained, the
 18 certification of a level three assessor-appraiser under
 19 IC 6-1.1-35.5. The individual under contract with the township
 20 assessor under this subdivision shall assist the township assessor
 21 with assessment duties as determined by the township assessor.

22 Payment for the deputy, employee, or contractor shall be made from the
 23 budget for the township assessor.

24 **(d) This section expires January 1, 2023.**

25 SECTION 13. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE
 26 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 27 **UPON PASSAGE]: Sec. 5. (a) If the office of a township assessor**
 28 **becomes vacant, the following apply on the date the office becomes**
 29 **vacant:**

30 **(1) The office of township assessor for that township is**
 31 **abolished.**

32 **(2) The county assessor of the county in which the township is**
 33 **located shall assume the duties of the township assessor.**

34 **(3) All of the following are transferred to the county assessor:**

35 **(A) All employment positions of all employees of the**
 36 **township assessor.**

37 **(B) The real and personal property of the township**
 38 **assessor.**

39 **(C) The obligations outstanding on the date the office of**
 40 **township assessor becomes vacant.**

41 **(D) The funds of the township assessor.**

42 **(b) An employee of the office of the township assessor on the**



1 date the office of the township assessor becomes vacant is entitled
 2 to remain in the employee's position transferred under subsection
 3 (a) until the earlier of the following:

4 (1) The employee resigns from the position.

5 (2) The employee's employment is terminated. However, an
 6 employee described in this subsection may be terminated only
 7 in the same manner that other employees of the county
 8 assessor may be terminated.

9 (c) The county auditor shall transfer to the county assessor all
 10 revenue received by the township:

11 (1) through the date that the office of the township assessor
 12 became vacant; and

13 (2) for the purpose of carrying out property assessment
 14 duties;

15 in the amount determined by the county auditor.

16 (d) This section expires January 1, 2023.

17 SECTION 14. IC 36-6-5-6 IS ADDED TO THE INDIANA CODE
 18 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 19 1, 2021]: Sec. 6. (a) This section applies to the office of a township
 20 assessor in existence on December 31, 2022.

21 (b) On January 1, 2023, the office of township assessor is
 22 abolished.

23 (c) On January 1, 2023, all the powers and duties of the
 24 township assessor are transferred to the county assessor of the
 25 county in which the township is located.

26 (d) On January 1, 2023, all of the following are transferred to
 27 the county assessor:

28 (1) All employment positions as of December 31, 2022, of each
 29 township assessor in the county, including all of the following:

30 (A) The employment position of the township assessor.

31 (B) The employment positions of all employees of the
 32 township assessor.

33 (2) The real and personal property of each township assessor
 34 in the county.

35 (3) The obligations outstanding on December 31, 2022, of each
 36 township assessor in the county.

37 (4) The funds of each township assessor in the county.

38 (e) Before January 1, 2023, the county assessor shall interview,
 39 or give the opportunity to interview to, each individual who:

40 (1) is, as of October 1, 2022, an employee of a township
 41 assessor in the county; and

42 (2) applies before December 1, 2022, for an employment



1 **position referred to in subsection (d)(1).**

2 **(f) The county auditor shall transfer to the county assessor all**
 3 **revenue received after December 31, 2022, by the township for the**
 4 **purpose of carrying out property assessment duties in the amount**
 5 **determined by the county auditor.**

6 SECTION 15. IC 36-6-5-7 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2021]: **Sec. 7. (a) Each county assessor and township assessor**
 9 **whose duties will be transferred under section 6 of this chapter**
 10 **shall:**

11 **(1) organize the records of the assessor's office relating to the**
 12 **assessment of tangible property in a manner prescribed by the**
 13 **department of local government finance; and**

14 **(2) transfer the records before January 1, 2023, as directed by**
 15 **the department of local government finance.**

16 **(b) The department of local government finance shall determine**
 17 **a procedure and schedule for the transfer of the records and**
 18 **operations from the township assessor to the county assessor. The**
 19 **assessors shall assist each other and coordinate their efforts to:**

20 **(1) ensure an orderly transfer of all records; and**

21 **(2) provide for an uninterrupted and professional transition**
 22 **of the functions of assessors consistent with this chapter,**
 23 **IC 6-1.1, and the directions of the department of local**
 24 **government finance.**

25 SECTION 16. IC 36-6-5-8 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 27 1, 2021]: **Sec. 8. The legislative services agency, under the**
 28 **supervision of the code revision commission, shall prepare**
 29 **legislation for introduction during the 2023 session of the general**
 30 **assembly to amend Indiana law to make necessary corrections and**
 31 **changes in the Indiana Code to reflect the abolition of the office of**
 32 **township assessor.**

33 SECTION 17. IC 36-6-5-9 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2021]: **Sec. 9. This chapter expires January 1, 2025.**

36 SECTION 18. IC 36-7-11.2-11, AS AMENDED BY P.L.219-2007,
 37 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2021]: **Sec. 11. As used in this chapter, "notice"**
 39 **means written notice:**

40 **(1) served personally upon the person, official, or office entitled**
 41 **to the notice; or**

42 **(2) served upon the person, official, or office by placing the notice**



- 1 in the United States mail, first class postage prepaid, properly
- 2 addressed to the person, official, or office. Notice is considered
- 3 served if mailed in the manner prescribed by this subdivision
- 4 properly addressed to the following:
- 5 (A) The governor, both to the address of the governor's official
- 6 residence and to the governor's executive office in
- 7 Indianapolis.
- 8 (B) The Indiana department of transportation, to the
- 9 commissioner.
- 10 (C) The department of natural resources, both to the director
- 11 of the department and to the director of the department's
- 12 division of historic preservation and archeology.
- 13 (D) The department of metropolitan development.
- 14 (E) An occupant, to:
- 15 (i) the person by name; or
- 16 (ii) if the name is unknown, the "Occupant" at the address of
- 17 the Meridian Street or bordering property occupied by the
- 18 person.
- 19 (F) An owner, to the person by the name shown to be the name
- 20 of the owner, and at the person's address, as the address
- 21 appears in the records in the bound volumes of the most recent
- 22 real estate tax assessment records as the records appear in
- 23 ~~(i) the offices of the township assessors; or~~
- 24 ~~(ii) the office of the county assessor~~
- 25 in Marion County.
- 26 (G) A neighborhood association or the society, to the
- 27 organization at the latest address as shown in the records of the
- 28 commission.
- 29 SECTION 19. IC 36-7-11.2-58, AS AMENDED BY P.L.146-2008,
- 30 SECTION 719, IS AMENDED TO READ AS FOLLOWS
- 31 [EFFECTIVE JULY 1, 2021]: Sec. 58. (a) A person who has filed a
- 32 petition under section 56 or 57 of this chapter shall, not later than ten
- 33 (10) days after the filing, serve notice upon all interested parties. The
- 34 notice must state the following:
- 35 (1) The full name and address of the following:
- 36 (A) The petitioner.
- 37 (B) Each attorney acting for and on behalf of the petitioner.
- 38 (2) The street address of the Meridian Street and bordering
- 39 property for which the petition was filed.
- 40 (3) The name of the owner of the property.
- 41 (4) The full name and address of, and the type of business, if any,
- 42 conducted by:



1 (A) each person who at the time of the filing is a party to; and
 2 (B) each person who is a disclosed or an undisclosed principal
 3 for whom the party was acting as agent in entering into;
 4 a contract of sale, lease, option to purchase or lease, agreement to
 5 build or develop, or other written agreement of any kind or nature
 6 concerning the subject property or the present or future
 7 ownership, use, occupancy, possession, or development of the
 8 subject property.
 9 (5) A description of the contract of sale, lease, option to purchase
 10 or lease, agreement to build or develop, or other written
 11 agreement sufficient to disclose the full nature of the interest of
 12 the party or of the party's principal in the subject property or in
 13 the present or future ownership, use, occupancy, possession, or
 14 development of the subject property.
 15 (6) A description of the proposed use for which the rezoning or
 16 zoning variance is sought, sufficiently detailed to appraise the
 17 notice recipient of the true character, nature, extent, and physical
 18 properties of the proposed use.
 19 (7) The date of the filing of the petition.
 20 (8) The date, time, and place of the next regular meeting of the
 21 commission if a petition is for approval of a zoning variance. If a
 22 petition is filed with the development commission, the notice does
 23 not have to specify the date of a hearing before the commission or
 24 the development commission. However, the person filing the
 25 petition shall give ten (10) days notice of the date, time, and place
 26 of a hearing before the commission on the petition after the
 27 referral of the petition to the commission by the development
 28 commission.
 29 (b) For purposes of giving notice to the interested parties who are
 30 owners, the records in the bound volumes of the recent real estate tax
 31 assessment records as the records appear in
 32 ~~(1) the offices of the township assessors (if any); or~~
 33 (2) the office of the county assessor
 34 as of the date of filing are considered determinative of the persons who
 35 are owners.
 36 SECTION 20. IC 36-7-15.1-32, AS AMENDED BY P.L.146-2008,
 37 SECTION 759, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2021]: Sec. 32. (a) The commission must
 39 establish a program for housing. The program, which may include such
 40 elements as the commission considers appropriate, must be adopted as
 41 part of a redevelopment plan or amendment to a redevelopment plan,
 42 and must establish an allocation area for purposes of sections 26 and



1 35 of this chapter for the accomplishment of the program.

2 (b) The notice and hearing provisions of sections 10 and 10.5 of this
3 chapter apply to the resolution adopted under subsection (a). Judicial
4 review of the resolution may be made under section 11 of this chapter.

5 (c) Before formal submission of any housing program to the
6 commission, the department shall consult with persons interested in or
7 affected by the proposed program and provide the affected
8 neighborhood associations, residents, ~~township assessors (if any)~~, and
9 the county assessor with an adequate opportunity to participate in an
10 advisory role in planning, implementing, and evaluating the proposed
11 program. The department may hold public meetings in the affected
12 neighborhood to obtain the views of neighborhood associations and
13 residents.

14 SECTION 21. IC 36-9-11.1-11, AS AMENDED BY P.L.146-2008,
15 SECTION 789, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2021]: Sec. 11. (a) All property of every kind,
17 including air rights, acquired for off-street parking purposes, and all its
18 funds and receipts, are exempt from taxation for all purposes. When
19 any real property is acquired by the consolidated city, the county
20 auditor shall, upon certification of that fact by the board, cancel all
21 taxes then a lien. The certificate of the board must specifically describe
22 the real property, including air rights, and the purpose for which
23 acquired.

24 (b) A lessee of the city may not be assessed any tax upon any land,
25 air rights, or improvements leased from the city, but the separate
26 leasehold interest has the same status as leases on taxable real property,
27 notwithstanding any other law. Whenever the city sells any such
28 property to anyone for private use, the property becomes liable for all
29 taxes after that, as other property is so liable and is assessed, and the
30 board shall report all such sales to ~~the township assessor~~, or the county
31 assessor, ~~if there is no township assessor for the township~~, who shall
32 cause the property to be upon the proper tax records.

33 (c) ~~If the duties of the township assessor have been transferred to the~~
34 ~~county assessor as described in IC 6-1.1-1-24, a reference to the~~
35 ~~township assessor in this section is considered to be a reference to the~~
36 ~~county assessor.~~

37 SECTION 22. **An emergency is declared for this act.**

