



February 15, 2022

ENGROSSED SENATE BILL No. 37

DIGEST OF SB 37 (Updated February 15, 2022 9:24 am - DI 75)

Citations Affected: Numerous provisions throughout the Indiana Code.

Synopsis: Population parameters. Amends various statutes to update population parameters for political subdivisions based on the 2020 decennial census. Updates multipliers that are based on a county's population and used in determining distributions made by the department of correction to county misdemeanor funds. Removes language providing that changes to boundaries of certain political subdivisions may not take effect during the year immediately before the year a federal decennial census is conducted. Makes conforming amendments. Makes technical corrections.

Effective: April 1, 2022.

Ford Jon, Brown L

(HOUSE SPONSOR — WESCO)

January 4, 2022, read first time and referred to Committee on Rules and Legislative Procedure.

January 6, 2022, amended; reassigned to Committee on Judiciary.

January 20, 2022, amended, reported favorably — Do Pass.

January 25, 2022, read second time, amended, ordered engrossed.

January 26, 2022, engrossed.

January 27, 2022, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

February 1, 2022, read first time and referred to Committee on Elections and Apportionment.

February 15, 2022, amended, reported — Do Pass.

ES 37—LS 6145/DI 13



February 15, 2022

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.

ENGROSSED SENATE BILL No. 37

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 1-1-3.5-9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 APRIL 1, 2022]: **Sec. 9. (a) A reference in this section to**
4 **amendments made to a statute is a reference to amendments made**
5 **during the 2022 regular session of the general assembly.**
6 **(b) Notwithstanding any other bill enacted during the 2022**
7 **regular session of the Indiana general assembly, this subsection**
8 **applies to each SECTION of each bill enacted during the 2022**
9 **regular session of the Indiana general assembly that satisfies all the**
10 **following:**
11 **(1) The SECTION amends a noncode statute or a provision of**
12 **the Indiana Code.**
13 **(2) The SECTION takes effect before April 1, 2022.**
14 **(3) The SECTION contains an amendment to a population**
15 **parameter.**
16 **The amendment to a population parameter in a SECTION**
17 **described in this subsection takes effect April 1, 2022, and the**

ES 37—LS 6145/DI 13



1 amendment to other provisions in a SECTION described in this
 2 subsection take effect as otherwise provided in the bill described in
 3 this subsection.

4 (c) Notwithstanding any other bill enacted during the 2022
 5 regular session of the Indiana general assembly, this subsection
 6 applies to each SECTION of each bill enacted during the 2022
 7 regular session of the Indiana general assembly that satisfies all the
 8 following:

9 (1) The SECTION enacts a noncode statute or a new provision
 10 of the Indiana Code.

11 (2) The SECTION takes effect before April 1, 2022.

12 (3) The SECTION contains a population parameter.

13 Notwithstanding section 3 of this chapter, a population parameter
 14 in a SECTION described in this subsection refers to the population
 15 of the described political subdivisions as tabulated following the
 16 2020 Decennial Census and delivered to the state by the United
 17 States Secretary of Commerce under 13 U.S.C. 141 and received by
 18 the governor during 2021.

19 SECTION 2. IC 3-6-5-1, AS AMENDED BY P.L.119-2012,
 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 APRIL 1, 2022]: Sec. 1. (a) Except as provided in subsection (b), a
 22 board is established in each county of the state known as the (name of
 23 county) county election board.

24 (b) A county election board is not established in the following
 25 counties:

26 (1) A county having a population of more than four hundred
 27 thousand (400,000) ~~but~~ **and** less than seven hundred thousand
 28 (700,000).

29 (2) A county having a population of more than ~~one hundred~~
 30 ~~seventy thousand (170,000)~~ **but less than one hundred**
 31 ~~seventy-five thousand (175,000):~~ **one hundred eighty-five**
 32 **thousand (185,000) and less than two hundred thousand**
 33 **(200,000).**

34 SECTION 3. IC 3-6-5.4-1, AS AMENDED BY P.L.119-2012,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 37 population of more than ~~one hundred seventy thousand (170,000)~~ **but**
 38 ~~less than one hundred seventy-five thousand (175,000):~~ **one hundred**
 39 **eighty-five thousand (185,000) and less than two hundred thousand**
 40 **(200,000).**

41 SECTION 4. IC 3-6-5.6-1, AS ADDED BY P.L.170-2019,
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 2 population of more than ~~one hundred fifty thousand (150,000) but less~~
 3 ~~than one hundred seventy thousand (170,000):~~ **one hundred seventy**
 4 **thousand (170,000) and less than one hundred seventy-four**
 5 **thousand (174,000).**

6 SECTION 5. IC 3-8-1-1.5, AS AMENDED BY P.L.173-2015,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 APRIL 1, 2022]: Sec. 1.5. (a) This section applies to a candidate for
 9 any of the following offices:

10 (1) Judge of a city court in a city located in a county having a
 11 population of more than ~~two hundred fifty thousand (250,000) but~~
 12 ~~less than two hundred seventy thousand (270,000):~~ **two hundred**
 13 **fifty thousand (250,000) and less than three hundred thousand**
 14 **(300,000).**

15 (2) Judge of a town court.

16 (b) A person is not qualified to run for an office subject to this
 17 section unless not later than the deadline for filing the declaration or
 18 petition of candidacy or certificate of nomination the person is
 19 registered to vote in a county in which the municipality is located.

20 (c) Except as provided in IC 33-35-5-7.5, before a candidate for the
 21 office of judge of a city court described in subsection (a)(1) or a town
 22 court may file a:

23 (1) declaration of candidacy or petition of nomination;

24 (2) certificate of candidate selection under IC 3-13-1-15 or
 25 IC 3-13-2-8; or

26 (3) declaration of intent to be a write-in candidate or certificate of
 27 nomination under IC 3-8-2-2.5 or IC 3-10-6-12;

28 the candidate must be an attorney in good standing admitted to the
 29 practice of law in Indiana.

30 SECTION 6. IC 3-8-1-28.5, AS AMENDED BY P.L.173-2015,
 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 APRIL 1, 2022]: Sec. 28.5. (a) This section does not apply to a
 33 candidate for the office of judge of a city court in a city located in a
 34 county having a population of more than ~~two hundred fifty thousand~~
 35 ~~(250,000) but less than two hundred seventy thousand (270,000):~~ **two**
 36 **hundred fifty thousand (250,000) and less than three hundred**
 37 **thousand (300,000).**

38 (b) A candidate for the office of judge of a city court must reside in
 39 the city upon filing any of the following:

40 (1) A declaration of candidacy or declaration of intent to be a
 41 write-in candidate required under IC 3-8-2.

42 (2) A petition of nomination under IC 3-8-6.



1 (3) A certificate of nomination under IC 3-10-6-12.

2 (c) A candidate for the office of judge of a city court must reside in
3 a county in which the city is located upon the filing of a certificate of
4 candidate selection under IC 3-13-1-15 or IC 3-13-2-8.

5 (d) Before a candidate for the office of judge of a city court may file
6 a:

7 (1) declaration of candidacy or petition of nomination;

8 (2) certificate of candidate selection under IC 3-13-1-15 or
9 IC 3-13-2-8; or

10 (3) declaration of intent to be a write-in candidate or certificate of
11 nomination under IC 3-8-2-2.5 or IC 3-10-6-12;
12 the candidate must be an attorney in good standing admitted to the
13 practice of law in Indiana.

14 SECTION 7. IC 4-10-18-10, AS AMENDED BY P.L.119-2012,
15 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 APRIL 1, 2022]: Sec. 10. (a) The state board of finance may lend
17 money from the fund to entities listed in subsections (e) through (k) for
18 the purposes specified in those subsections.

19 (b) An entity must apply for the loan before May 1, 1989, in a form
20 approved by the state board of finance. As part of the application, the
21 entity shall submit a plan for its use of the loan proceeds and for the
22 repayment of the loan. Within sixty (60) days after receipt of each
23 application, the board shall meet to consider the application and to
24 review its accuracy and completeness and to determine the need for the
25 loan. The board shall authorize a loan to an entity that makes an
26 application if the board approves its accuracy and completeness and
27 determines that there is a need for the loan and an adequate method of
28 repayment.

29 (c) The state board of finance shall determine the terms of each
30 loan, which must include the following:

31 (1) The duration of the loan, which must not exceed twelve (12)
32 years.

33 (2) The repayment schedule of the loan, which must provide that
34 no payments are due during the first two (2) years of the loan.

35 (3) A variable rate of interest to be determined by the board and
36 adjusted annually. The interest rate must be the greater of:

37 (A) five percent (5%); or

38 (B) two-thirds (2/3) of the interest rate for fifty-two (52) week
39 United States Treasury bills on the anniversary date of the
40 loan, but not to exceed ten percent (10%).

41 (4) The amount of the loan or loans, which may not exceed the
42 maximum amounts established for the entity by this section.



1 (5) Any other conditions specified by the board.

2 (d) An entity may borrow money under this section by adoption of
3 an ordinance or a resolution and, as set forth in IC 5-1-14, may use any
4 source of revenue to repay a loan under this section. This section
5 constitutes complete authority for the entity to borrow from the fund.
6 If an entity described in subsection (i) fails to make any repayments of
7 a loan, the amount payable shall be withheld by the auditor of state
8 from any other money payable to the consolidated city. If any other
9 entity described in this section fails to make any repayments of a loan,
10 the amount payable shall be withheld by the auditor of state from any
11 other money payable to the entity. The amount withheld shall be
12 transferred to the fund to the credit of the entity.

13 (e) A loan under this section may be made to a city located in a
14 county having a population of more than ~~twenty-five thousand (25,000)~~
15 ~~but less than twenty-five thousand eight hundred (25,800)~~ **twenty-six**
16 **thousand four hundred seventy (26,470) and less than twenty-seven**
17 **thousand (27,000)** for the city's waterworks facility. The amount of the
18 loan may not exceed one million six hundred thousand dollars
19 (\$1,600,000).

20 (f) **As used in this subsection, "corridor" means the strip of land**
21 **in Indiana abutting Lake Michigan and the tributaries of Lake**
22 **Michigan.** A loan under this section may be made to a city the territory
23 of which is included in part within the Lake Michigan corridor ~~(as~~
24 ~~defined in IC 14-13-3-2, before its repeal)~~ for a marina development
25 project. As a part of its application under subsection (b), the city must
26 include the following:

27 (1) Written approval by the Lake Michigan marina development
28 commission of the project to be funded by the loan proceeds.

29 (2) A written determination by the commission of the amount
30 needed by the city, for the project and of the amount of the
31 maximum loan amount under this subsection that should be lent
32 to the city.

33 The maximum amount of loans available for all cities that are eligible
34 for a loan under this subsection is eight million six hundred thousand
35 dollars (\$8,600,000).

36 (g) A loan under this section may be made to a county having a
37 population of more than ~~one hundred seventy-five thousand (175,000)~~
38 ~~but less than one hundred eighty-five thousand (185,000)~~ **one hundred**
39 **eighty thousand (180,000) and less than one hundred eighty-five**
40 **thousand (185,000)** for use by the airport authority in the county for
41 the construction of runways. The amount of the loan may not exceed
42 seven million dollars (\$7,000,000). The county may lend the proceeds



1 of its loan to an airport authority for the public purpose of fostering
2 economic growth in the county.

3 (h) A loan under this section may be made to a city having a
4 population of more than ~~sixty thousand (60,000)~~ but less than ~~sixty-five~~
5 ~~thousand (65,000)~~ **fifty-eight thousand (58,000) and less than**
6 **fifty-nine thousand (59,000)** for the construction of parking facilities.
7 The amount of the loan may not exceed three million dollars
8 (\$3,000,000).

9 (i) A loan or loans under this section may be made to a consolidated
10 city, a local public improvement bond bank, or any board, authority, or
11 commission of the consolidated city to fund economic development
12 projects under IC 36-7-15.2-5 or to refund obligations issued to fund
13 economic development projects. The amount of the loan may not
14 exceed thirty million dollars (\$30,000,000).

15 (j) A loan under this section may be made to a county having a
16 population of more than ~~thirteen thousand (13,000)~~ but less than
17 ~~fourteen thousand (14,000)~~ **twelve thousand five hundred (12,500)**
18 **and less than thirteen thousand (13,000)** for extension of airport
19 runways. The amount of the loan may not exceed three hundred
20 thousand dollars (\$300,000).

21 (k) A loan under this section may be made to Covington Community
22 School Corporation to refund the amount due on a tax anticipation
23 warrant loan. The amount of the loan may not exceed two million seven
24 hundred thousand dollars (\$2,700,000), to be paid back from any
25 source of money that is legally available to the school corporation.
26 Notwithstanding subsection (b), the school corporation must apply for
27 the loan before June 30, 2010. Notwithstanding subsection (c),
28 repayment of the loan shall be made in equal installments over five (5)
29 years with the first installment due not more than six (6) months after
30 the date loan proceeds are received by the school corporation.

31 (l) IC 6-1.1-20 does not apply to a loan made by an entity under this
32 section.

33 (m) As used in this section, "entity" means a governmental entity
34 authorized to obtain a loan under subsections (e) through (k).

35 SECTION 8. IC 4-33-12-6, AS AMENDED BY P.L.293-2019,
36 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 APRIL 1, 2022]: Sec. 6. (a) The department shall place in the state
38 general fund the tax revenue collected under this chapter.

39 (b) Except as provided by sections 8 and 8.5 of this chapter, the
40 treasurer of state shall quarterly pay the following amounts:

41 (1) Except as provided in section 9(k) of this chapter, thirty-three
42 and one-third percent (33 1/3%) of the admissions tax and



- 1 supplemental wagering tax collected by the licensed owner during
 2 the quarter shall be paid to:
- 3 (A) the city in which the riverboat is located, if the city:
 4 (i) is located in a county having a population of more than
 5 ~~one hundred eleven thousand (111,000)~~ but less than one
 6 ~~hundred fifteen thousand (115,000)~~; **one hundred twelve**
 7 **thousand (112,000)** and less than **one hundred twenty**
 8 **thousand (120,000)**; or
 9 (ii) is contiguous to the Ohio River and is the largest city in
 10 the county; and
- 11 (B) the county in which the riverboat is located, if the
 12 riverboat is not located in a city described in clause (A).
- 13 (2) Except as provided in section 9(k) of this chapter, thirty-three
 14 and one-third percent (33 1/3%) of the admissions tax and
 15 supplemental wagering tax collected by the licensed owner during
 16 the quarter shall be paid to the county in which the riverboat is
 17 located. In the case of a county described in subdivision (1)(B),
 18 this thirty-three and one-third percent (33 1/3%) of the admissions
 19 tax and supplemental wagering tax is in addition to the
 20 thirty-three and one-third percent (33 1/3%) received under
 21 subdivision (1)(B).
- 22 (3) Except as provided in section 9(k) of this chapter, three and
 23 thirty-three hundredths percent (3.33%) of the admissions tax and
 24 supplemental wagering tax collected by the licensed owner during
 25 the quarter shall be paid to the county convention and visitors
 26 bureau or promotion fund for the county in which the riverboat is
 27 located.
- 28 (4) Except as provided in section 9(k) of this chapter, five percent
 29 (5%) of the admissions tax and supplemental wagering tax
 30 collected by the licensed owner during a quarter shall be paid to
 31 the state fair commission, for use in any activity that the
 32 commission is authorized to carry out under IC 15-13-3.
- 33 (5) Except as provided in section 9(k) of this chapter, three and
 34 thirty-three hundredths percent (3.33%) of the admissions tax and
 35 supplemental wagering tax collected by the licensed owner during
 36 the quarter shall be paid to the division of mental health and
 37 addiction. The division shall allocate at least twenty-five percent
 38 (25%) of the funds derived from the admissions tax to the
 39 prevention and treatment of compulsive gambling.
- 40 (6) Twenty-one and six hundred sixty-seven thousandths percent
 41 (21.667%) of the admissions tax and supplemental wagering tax
 42 collected by the licensed owner during the quarter shall be paid



1 to the state general fund.

2 SECTION 9. IC 4-33-13-5, AS AMENDED BY P.L.238-2019,
3 SECTION 2, AND AS AMENDED BY P.L.108-2019, SECTION 73,
4 AND AS AMENDED BY P.L.293-2019, SECTION 31, IS
5 CORRECTED AND AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) This subsection does not
7 apply to tax revenue remitted by an operating agent operating a
8 riverboat in a historic hotel district. After funds are appropriated under
9 section 4 of this chapter, each month the ~~treasurer~~ auditor of state shall
10 distribute the tax revenue deposited in the state gaming fund under this
11 chapter to the following:

12 (1) An amount equal to the following shall be set aside for
13 revenue sharing under subsection ~~(e)~~ (d):

14 (A) Before July 1, 2021, the first thirty-three million dollars
15 (\$33,000,000) of tax revenues collected under this chapter
16 shall be set aside for revenue sharing under subsection ~~(e)~~ (d).

17 (B) After June 30, 2021, if the total adjusted gross receipts
18 received by licensees from gambling games authorized under
19 this article during the preceding state fiscal year is equal to or
20 greater than the total adjusted gross receipts received by
21 licensees from gambling games authorized under this article
22 during the state fiscal year ending June 30, 2020, the first
23 thirty-three million dollars (\$33,000,000) of tax revenues
24 collected under this chapter shall be set aside for revenue
25 sharing under subsection ~~(e)~~ (d).

26 (C) After June 30, 2021, if the total adjusted gross receipts
27 received by licensees from gambling games authorized under
28 this article during the preceding state fiscal year is less than
29 the total adjusted gross receipts received by licensees from
30 gambling games authorized under this article during the state
31 year ending June 30, 2020, an amount equal to the first
32 thirty-three million dollars (\$33,000,000) of tax revenues
33 collected under this chapter multiplied by the result of:

34 (i) the total adjusted gross receipts received by licensees
35 from gambling games authorized under this article during
36 the preceding state fiscal year; divided by

37 (ii) the total adjusted gross receipts received by licensees
38 from gambling games authorized under this article during
39 the state fiscal year ending June 30, 2020;

40 shall be set aside for revenue sharing under subsection ~~(e)~~ (d).

41 (2) Subject to subsection (c), twenty-five percent (25%) of the
42 remaining tax revenue remitted by each licensed owner shall be



1 paid:

2 (A) to the city *in which the riverboat is located* or that is
 3 designated as the home dock of the riverboat from which the
 4 tax revenue was collected, in the case of:

5 (i) a city described in IC 4-33-12-6(b)(1)(A); **or**

6 (ii) a city located in a county having a population of more
 7 than four hundred thousand (400,000) but less than seven
 8 hundred thousand (700,000); **Lake County; or**

9 (iii) *Terre Haute; or*

10 (B) to the county that is designated as the home dock of the
 11 riverboat from which the tax revenue was collected, in the case
 12 of a riverboat *that is not located in a city described in clause*
 13 *(A) or whose home dock is not in a city described in clause*
 14 *(A).*

15 (3) *Subject to subsection (d);* The remainder of the tax revenue
 16 remitted by each licensed owner shall be paid to the state general
 17 fund. In each state fiscal year, the *treasurer auditor* of state shall
 18 make the transfer required by this subdivision not later than the
 19 last business day of the month in which the tax revenue is
 20 remitted to the state for deposit in the state gaming fund.
 21 However, if tax revenue is received by the state on the last
 22 business day in a month, the *treasurer auditor* of state may
 23 transfer the tax revenue to the state general fund in the
 24 immediately following month.

25 (b) This subsection applies only to tax revenue remitted by an
 26 operating agent operating a riverboat in a historic hotel district after
 27 June 30, ~~2015~~. 2019. After funds are appropriated under section 4 of
 28 this chapter, each month the *treasurer auditor* of state shall distribute
 29 the tax revenue remitted by the operating agent under this chapter as
 30 follows:

31 (1) *For state fiscal years beginning after June 30, 2019, but*
 32 *ending before July 1, 2021, fifty-six and five-tenths percent*
 33 *(56.5%) shall be paid to the state general fund.*

34 (2) *For state fiscal years beginning after June 30, 2021, fifty-six*
 35 *and five-tenths percent (56.5%) shall be paid as follows:*

36 (A) *Sixty-six and four-tenths percent (66.4%) shall be paid to*
 37 *the state general fund.*

38 (B) *Thirty-three and six-tenths percent (33.6%) shall be paid*
 39 *to the West Baden Springs historic hotel preservation and*
 40 *maintenance fund established by IC 36-7-11.5-11(b).*

41 *However, if:*

42 (i) *at any time the balance in that fund exceeds twenty-five*



1 *million dollars (\$25,000,000); or*
2 *(ii) in any part of a state fiscal year in which the operating*
3 *agent has received at least one hundred million dollars*
4 *(\$100,000,000) of adjusted gross receipts;*
5 *the amount described in this clause shall be paid to the state*
6 *general fund for the remainder of the state fiscal year.*
7 ~~(2)~~ (3) Forty-three and five-tenths percent (43.5%) shall be paid
8 as follows:
9 (A) Twenty-two and four-tenths percent (22.4%) shall be paid
10 as follows:
11 (i) Fifty percent (50%) to the fiscal officer of the town of
12 French Lick.
13 (ii) Fifty percent (50%) to the fiscal officer of the town of
14 West Baden Springs.
15 (B) Fourteen and eight-tenths percent (14.8%) shall be paid to
16 the county treasurer of Orange County for distribution among
17 the school corporations in the county. The governing bodies
18 for the school corporations in the county shall provide a
19 formula for the distribution of the money received under this
20 clause among the school corporations by joint resolution
21 adopted by the governing body of each of the school
22 corporations in the county. Money received by a school
23 corporation under this clause must be used to improve the
24 educational attainment of students enrolled in the school
25 corporation receiving the money. Not later than the first
26 regular meeting in the school year of a governing body of a
27 school corporation receiving a distribution under this clause,
28 the superintendent of the school corporation shall submit to
29 the governing body a report describing the purposes for which
30 the receipts under this clause were used and the improvements
31 in educational attainment realized through the use of the
32 money. The report is a public record.
33 (C) Thirteen and one-tenth percent (13.1%) shall be paid to the
34 county treasurer of Orange County.
35 (D) Five and three-tenths percent (5.3%) shall be distributed
36 quarterly to the county treasurer of Dubois County for
37 appropriation by the county fiscal body after receiving a
38 recommendation from the county executive. The county fiscal
39 body for the receiving county shall provide for the distribution
40 of the money received under this clause to one (1) or more
41 taxing units (as defined in IC 6-1.1-1-21) in the county under
42 a formula established by the county fiscal body after receiving



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a recommendation from the county executive.
(E) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Crawford County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.
(F) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Paoli.
(G) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Orleans.
(H) Twenty-six and four-tenths percent (26.4%) shall be paid to the Indiana economic development corporation established by IC 5-28-3-1 for transfer as follows:
(i) Beginning after December 31, 2017, ten percent (10%) of the amount transferred under this clause in each calendar year shall be transferred to the South Central Indiana Regional Economic Development Corporation or a successor entity or partnership for economic development for the purpose of recruiting new business to Orange County as well as promoting the retention and expansion of existing businesses in Orange County.
(ii) The remainder of the amount transferred under this clause in each calendar year shall be transferred to Radius Indiana or a successor regional entity or partnership for the development and implementation of a regional economic development strategy to assist the residents of Orange County and the counties contiguous to Orange County in improving their quality of life and to help promote successful and sustainable communities.
To the extent possible, the Indiana economic development corporation shall provide for the transfer under item (i) to be made in four (4) equal installments. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making distributions to the South Central Indiana Regional Economic Development



1 Corporation and Radius Indiana or their successor entities or
 2 partnerships. The amount paid to the Orange County
 3 development commission shall proportionally reduce the
 4 amount payable to the South Central Indiana Regional
 5 Economic Development Corporation and Radius Indiana or
 6 their successor entities or partnerships.

7 (c) *This subsection does not apply to tax revenue remitted by an*
 8 *inland casino operating in Vigo County.* For each city and county
 9 receiving money under subsection (a)(2), the *treasurer auditor* of state
 10 shall determine the total amount of money paid by the *treasurer*
 11 *auditor* of state to the city or county during the state fiscal year 2002.
 12 The amount determined is the base year revenue for the city or county.
 13 The *treasurer auditor* of state shall certify the base year revenue
 14 determined under this subsection to the city or county. The total
 15 amount of money distributed to a city or county under this section
 16 during a state fiscal year may not exceed the entity's base year revenue.
 17 For each state fiscal year, the *treasurer auditor* of state shall pay that
 18 part of the riverboat wagering taxes that:

- 19 (1) exceeds a particular city's or county's base year revenue; and
- 20 (2) would otherwise be due to the city or county under this
- 21 section;

22 to the state general fund instead of to the city or county.

23 (d) *Each state fiscal year the treasurer of state shall transfer from*
 24 *the tax revenue remitted to the state general fund under subsection*
 25 *(a)(3) to the build Indiana fund an amount that when added to the*
 26 *following may not exceed two hundred fifty million dollars*
 27 *(\$250,000,000):*

28 (1) *Surplus lottery revenues under IC 4-30-17-3.*

29 (2) *Surplus revenue from the charity gaming enforcement fund*
 30 *under IC 4-32.2-7-7.*

31 (3) *Tax revenue from pari-mutuel wagering under IC 4-31-9-3.*

32 *The treasurer of state shall make transfers on a monthly basis as*
 33 *needed to meet the obligations of the build Indiana fund. If in any state*
 34 *fiscal year insufficient money is transferred to the state general fund*
 35 *under subsection (a)(3) to comply with this subsection, the treasurer*
 36 *of state shall reduce the amount transferred to the build Indiana fund*
 37 *to the amount available in the state general fund from the transfers*
 38 *under subsection (a)(3) for the state fiscal year.*

39 (e) (d) Except as provided in subsections (f) (k) and (m); (l), before
 40 August 15 of each year, the *treasurer auditor* of state shall distribute
 41 the wagering taxes set aside for revenue sharing under subsection
 42 (a)(1) to the county treasurer of each county that does not have a



1 riverboat according to the ratio that the county's population bears to the
 2 total population of the counties that do not have a riverboat. Except as
 3 provided in subsection ~~(h)~~; (g), the county auditor shall distribute the
 4 money received by the county under this subsection as follows:

5 (1) To each city located in the county according to the ratio the
 6 city's population bears to the total population of the county.

7 (2) To each town located in the county according to the ratio the
 8 town's population bears to the total population of the county.

9 (3) After the distributions required in subdivisions (1) and (2) are
 10 made, the remainder shall be retained by the county.

11 ~~(f)~~ (e) Money received by a city, town, or county under subsection
 12 ~~(e)~~ (d) or ~~(h)~~ (g) may be used for any of the following purposes:

13 (1) To reduce the property tax levy of the city, town, or county for
 14 a particular year (a property tax reduction under this subdivision
 15 does not reduce the maximum levy of the city, town, or county
 16 under IC 6-1.1-18.5).

17 (2) For deposit in a special fund or allocation fund created under
 18 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
 19 IC 36-7-30 to provide funding for debt repayment.

20 (3) To fund sewer and water projects, including storm water
 21 management projects.

22 (4) For police and fire pensions.

23 (5) To carry out any governmental purpose for which the money
 24 is appropriated by the fiscal body of the city, town, or county.
 25 Money used under this subdivision does not reduce the property
 26 tax levy of the city, town, or county for a particular year or reduce
 27 the maximum levy of the city, town, or county under
 28 IC 6-1.1-18.5.

29 ~~(g)~~ (f) *This subsection does not apply to an inland casino operating*
 30 *in Vigo County.* Before July 15 of each year, the *treasurer auditor* of
 31 state shall determine the total amount of money distributed to an entity
 32 under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal
 33 year. If the *treasurer auditor* of state determines that the total amount
 34 of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8
 35 during the preceding state fiscal year was less than the entity's base
 36 year revenue (as determined under IC 4-33-12-9), the *treasurer auditor*
 37 of state shall make a supplemental distribution to the entity from taxes
 38 collected under this chapter and deposited into the state general fund.
 39 Except as provided in subsection ~~(h)~~; (h), the amount of an entity's
 40 supplemental distribution is equal to:

41 (1) the entity's base year revenue (as determined under
 42 IC 4-33-12-9); minus



- 1 (2) the sum of:
- 2 (A) the total amount of money distributed to the entity and
- 3 constructively received by the entity during the preceding state
- 4 fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus
- 5 (B) the amount of any admissions taxes deducted under
- 6 IC 6-3.1-20-7.
- 7 ~~(f)~~ (g) This subsection applies only to a county containing a
- 8 consolidated city: **Marion County**. The county auditor shall distribute
- 9 the money received by the county under subsection ~~(e)~~ (d) as follows:
- 10 (1) To each city, other than a **the** consolidated city, located in the
- 11 county according to the ratio that the city's population bears to the
- 12 total population of the county.
- 13 (2) To each town located in the county according to the ratio that
- 14 the town's population bears to the total population of the county.
- 15 (3) After the distributions required in subdivisions (1) and (2) are
- 16 made, the remainder shall be paid in equal amounts to the
- 17 consolidated city and the county.
- 18 ~~(f)~~ (h) *This subsection does not apply to an inland casino operating*
- 19 *in Vigo County*. This subsection applies to a supplemental distribution
- 20 made after June 30, 2017. The maximum amount of money that may be
- 21 distributed under subsection ~~(g)~~ (f) in a state fiscal year is equal to the
- 22 following:
- 23 (1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).
- 24 (2) After June 30, 2021, if the total adjusted gross receipts
- 25 received by licensees from gambling games authorized under this
- 26 article during the preceding state fiscal year is equal to or greater
- 27 than the total adjusted gross receipts received by licensees from
- 28 gambling games authorized under this article during the state
- 29 fiscal year ending June 30, 2020, the maximum amount is
- 30 forty-eight million dollars (\$48,000,000).
- 31 (3) After June 30, 2021, if the total adjusted gross receipts
- 32 received by licensees from gambling games authorized under this
- 33 article during the preceding state fiscal year is less than the total
- 34 adjusted gross receipts received by licensees from gambling
- 35 games authorized under this article during the state fiscal year
- 36 ending June 30, 2020, the maximum amount is equal to the result
- 37 of:
- 38 (A) forty-eight million dollars (\$48,000,000); multiplied by
- 39 (B) the result of:
- 40 (i) the total adjusted gross receipts received by licensees
- 41 from gambling games authorized under this article during
- 42 the preceding state fiscal year; divided by



1 (ii) the total adjusted gross receipts received by licensees
 2 from gambling games authorized under this article during
 3 the state fiscal year ending June 30, 2020.

4 If the total amount determined under subsection ~~(g)~~ (f) exceeds the
 5 maximum amount determined under this subsection, the amount
 6 distributed to an entity under subsection ~~(g)~~ (f) must be reduced
 7 according to the ratio that the amount distributed to the entity under
 8 IC 4-33-12-6 or IC 4-33-12-8 bears to the total amount distributed
 9 under IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a
 10 supplemental distribution.

11 ~~(f)~~ (i) This subsection applies to a supplemental distribution, if any,
 12 payable to Lake County, Hammond, Gary, or East Chicago under
 13 subsections ~~(g)~~ (f) and ~~(i)~~ (h). Beginning in July 2016, the *treasurer*
 14 *auditor* of state shall, after making any deductions from the
 15 supplemental distribution required by IC 6-3.1-20-7, deduct from the
 16 remainder of the supplemental distribution otherwise payable to the
 17 unit under this section the lesser of:

- 18 (1) the remaining amount of the supplemental distribution; or
- 19 (2) the difference, if any, between:
 - 20 (A) three million five hundred thousand dollars (\$3,500,000);
 - 21 minus
 - 22 (B) the amount of admissions taxes constructively received by
 - 23 the unit in the previous state fiscal year.

24 The *treasurer auditor* of state shall distribute the amounts deducted
 25 under this subsection to the northwest Indiana redevelopment authority
 26 established under IC 36-7.5-2-1 for deposit in the development
 27 authority revenue fund established under IC 36-7.5-4-1.

28 ~~(k)~~ (j) Money distributed to a political subdivision under subsection
 29 (b):

- 30 (1) must be paid to the fiscal officer of the political subdivision
 31 and may be deposited in the political subdivision's general fund
 32 *(in the case of a school corporation, the school corporation may*
 33 *deposit the money into either the education fund (IC 20-40-2) or*
 34 *the operations fund (IC 20-40-18))* or riverboat fund established
 35 under IC 36-1-8-9, or both;
- 36 (2) may not be used to reduce the maximum levy under
 37 IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate
 38 of a school corporation, but, except as provided in subsection
 39 ~~(b)(2)(B); (b)(3)(B)~~, may be used at the discretion of the political
 40 subdivision to reduce the property tax levy of the county, city, or
 41 town for a particular year;
- 42 (3) except as provided in subsection ~~(b)(2)(B); (b)(3)(B)~~, may be



1 used for any legal or corporate purpose of the political
 2 subdivision, including the pledge of money to bonds, leases, or
 3 other obligations under IC 5-1-14-4; and

4 (4) is considered miscellaneous revenue.

5 Money distributed under subsection ~~(b)(2)(B)~~ (b)(3)(B) must be used
 6 for the purposes specified in subsection ~~(b)(2)(B)~~: (b)(3)(B).

7 ~~(j)~~ (k) After June 30, 2020, the amount of wagering taxes that would
 8 otherwise be distributed to South Bend under subsection ~~(e)~~ (d) shall
 9 be deposited as being received from all riverboats whose supplemental
 10 wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and
 11 five-tenths percent (3.5%). The amount deposited under this
 12 subsection, in each riverboat's account, is proportionate to the
 13 supplemental wagering tax received from that riverboat under
 14 IC 4-33-12-1.5 in the month of July. The amount deposited under this
 15 subsection must be distributed in the same manner as the supplemental
 16 wagering tax collected under IC 4-33-12-1.5. This subsection expires
 17 June 30, 2021.

18 ~~(m)~~ (l) After June 30, 2021, the amount of wagering taxes that
 19 would otherwise be distributed to South Bend under subsection ~~(e)~~ (d)
 20 shall be withheld and deposited in the state general fund.

21 SECTION 10. IC 5-1-14-7, AS AMENDED BY P.L.119-2012,
 22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 APRIL 1, 2022]: Sec. 7. (a) This section applies to:

24 (1) each county having a population of more than ~~one hundred~~
 25 ~~seventy-five thousand (175,000) but less than one hundred~~
 26 ~~eighty-five thousand (185,000);~~ **one hundred eighty thousand**
 27 **(180,000) and less than one hundred eighty-five thousand**
 28 **(185,000);** and

29 (2) each second class city located in a county described in
 30 subdivision (1).

31 (b) As used in this section, "stadium" means a structure used for
 32 athletic, recreational, cultural, and community events.

33 (c) Notwithstanding any other law, a stadium constitutes a:

34 (1) government building under IC 36-9-13;
 35 (2) structure under IC 36-1-10;
 36 (3) park purpose under IC 36-10-1;
 37 (4) park improvement under IC 36-10-4; and
 38 (5) redevelopment project or purpose under IC 36-7-14.

39 (d) Notwithstanding any other law, a legislative body of a city may
 40 levy a tax in the park district established under IC 36-10-4 to pay lease
 41 rentals to a lessor of a stadium under IC 36-1-10 or IC 36-9-13.

42 SECTION 11. IC 5-1-17-7, AS ADDED BY P.L.214-2005,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 7. (a) The board is composed of the following
3 seven (7) members, who must be residents of Indiana:

4 (1) Four (4) members appointed by the governor. The president
5 pro tempore of the senate and the speaker of the house of
6 representatives may each make one (1) recommendation to the
7 governor concerning the appointment of a member under this
8 subdivision.

9 (2) Two (2) members appointed by the **Marion County**
10 executive. ~~of a county having a consolidated city.~~

11 (3) One (1) member appointed by the governor, who has been
12 nominated by the county fiscal body of a county that is contiguous
13 to ~~a county having a consolidated city~~, **Marion County**,
14 determined as follows:

15 (A) The member nominated for the initial term shall be
16 nominated by the contiguous county that has the largest
17 population of all the contiguous counties that have adopted an
18 ordinance to impose a food and beverage tax under IC 6-9-35.

19 (B) The member nominated for each successive term shall be
20 nominated by the contiguous county that:

21 (i) contributed the most revenues from the tax imposed by
22 IC 6-9-35 to the capital improvement board of managers
23 created by IC 36-10-9-3 in the immediately previous
24 calendar year; and

25 (ii) has not previously made a nomination to the governor or,
26 if all the contributing counties have previously made such a
27 nomination, is the one whose then most recent nomination
28 occurred before those of all the other contributing counties.

29 (b) A member appointed under subsection (a)(1) through (a)(2) is
30 entitled to serve a three (3) year term. A member appointed under
31 subsection (a)(3) is entitled to serve a one (1) year term. A member
32 may be reappointed to subsequent terms.

33 (c) If a vacancy occurs on the board, the governor shall fill the
34 vacancy by appointing a new member for the remainder of the vacated
35 term. If the vacated member was appointed under subsection (a)(2) or
36 (a)(3), the governor shall appoint a new member who has been
37 nominated by the person or body who made the nomination of the
38 vacated member.

39 (d) A member may be removed for cause by the appointing
40 authority.

41 (e) Each member, before entering upon the duties of office, must
42 take and subscribe an oath of office under IC 5-4-1, which shall be



1 endorsed upon the certificate of appointment and filed with the records
2 of the board.

3 (f) The governor shall nominate an executive director for the
4 authority, subject to the veto authority of the **Marion County**
5 executive. ~~of a county having a consolidated city.~~

6 SECTION 12. IC 5-1-17-18, AS AMENDED BY P.L.109-2019,
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 APRIL 1, 2022]: Sec. 18. (a) Subject to subsection (h), the authority
9 may issue bonds for the purpose of obtaining money to pay the cost of:

10 (1) acquiring real or personal property, including existing capital
11 improvements;

12 (2) constructing, improving, reconstructing, or renovating one (1)
13 or more capital improvements; or

14 (3) funding or refunding bonds issued under IC 36-10-8 or
15 IC 36-10-9 or prior law.

16 (b) The bonds are payable from the lease rentals from the lease of
17 the capital improvements for which the bonds were issued, insurance
18 proceeds, and any other funds pledged or available.

19 (c) The bonds shall be authorized by a resolution of the board.

20 (d) The terms and form of the bonds shall either be set out in the
21 resolution or in a form of trust indenture approved by the resolution.

22 (e) The bonds shall mature within forty (40) years.

23 (f) The board shall sell the bonds at public or private sale upon the
24 terms determined by the board.

25 (g) All money received from any bonds issued under this chapter
26 shall be applied to the payment of the cost of the acquisition or
27 construction, or both, of capital improvements, or the cost of refunding
28 or refinancing outstanding bonds, for which the bonds are issued. The
29 cost may include:

30 (1) planning and development of the facility and all buildings,
31 facilities, structures, and improvements related to it;

32 (2) acquisition of a site and clearing and preparing the site for
33 construction;

34 (3) equipment, facilities, structures, and improvements that are
35 necessary or desirable to make the capital improvement suitable
36 for use and operations;

37 (4) architectural, engineering, consultant, and attorney's fees;

38 (5) incidental expenses in connection with the issuance and sale
39 of bonds;

40 (6) reserves for principal and interest;

41 (7) interest during construction;

42 (8) financial advisory fees;



- 1 (9) insurance during construction;
- 2 (10) municipal bond insurance, debt service reserve insurance,
- 3 letters of credit, or other credit enhancement; and
- 4 (11) in the case of refunding or refinancing, payment of the
- 5 principal of, redemption premiums (if any) for, and interest on,
- 6 the bonds being refunded or refinanced.
- 7 (h) The authority may not issue bonds under this chapter unless the
- 8 authority first finds that the following conditions are met:
- 9 (1) The capital improvement board and the authority have entered
- 10 into a written agreement concerning the terms of the financing of
- 11 the facility. This agreement must include the following
- 12 provisions:
- 13 (A) Notwithstanding any other law, if the capital improvement
- 14 board selected a construction manager and an architect for a
- 15 facility before May 15, 2005, the authority will contract with
- 16 that construction manager and architect and use plans as
- 17 developed by that construction manager and architect. In
- 18 addition, any other agreements entered into by the capital
- 19 improvement board or a political subdivision served by the
- 20 capital improvement board with respect to the design and
- 21 construction of the facility will be reviewed by a selection
- 22 committee consisting of:
- 23 (i) two (2) of the members appointed to the board of
- 24 directors of the authority under section 7(a)(1) of this
- 25 chapter, as designated by the governor;
- 26 (ii) the two (2) members appointed to the board of directors
- 27 of the authority under section 7(a)(2) of this chapter; and
- 28 (iii) the executive director of the authority.
- 29 The selection committee is not bound by any prior
- 30 commitments of the capital improvement board or the political
- 31 subdivision, other than the general project design, and will
- 32 approve all contracts necessary for the design and construction
- 33 of the facility.
- 34 (B) If before May 15, 2005, the capital improvement board
- 35 acquired any land, plans, or other information necessary for
- 36 the facility and the board had budgeted for these items, the
- 37 capital improvement board will transfer the land, plans, or
- 38 other information useful to the authority for a price not to
- 39 exceed the lesser of:
- 40 (i) the actual cost to the capital improvement board; or
- 41 (ii) three million five hundred thousand dollars
- 42 (\$3,500,000).



- 1 (C) The capital improvement board agrees to take any legal
 2 action that the authority considers necessary to facilitate the
 3 financing of the facility, including entering into agreements
 4 during the design and construction of the facility or a sublease
 5 of a capital improvement to any state agency that is then leased
 6 by the authority to any state agency under section 26 of this
 7 chapter.
- 8 (D) The capital improvement board is prohibited from taking
 9 any other action with respect to the financing of the facility
 10 without the prior approval of the authority. The authority is not
 11 bound by the terms of any agreement entered into by the
 12 capital improvement board with respect to the financing of the
 13 facility without the prior approval of the authority.
- 14 (E) As the project financier, the Indiana finance authority (or
 15 its successor agency) and the public finance director will be
 16 responsible for selecting all investment bankers, bond counsel,
 17 trustees, and financial advisors.
- 18 (F) The capital improvement board agrees to deliver to the
 19 authority the one hundred million dollars (\$100,000,000) that
 20 is owed to the capital improvement board, the consolidated
 21 city, or ~~the county having a consolidated city~~ **Marion County**,
 22 pursuant to an agreement between the National Football
 23 League franchised professional football team and the capital
 24 improvement board, the consolidated city, or ~~the county~~.
 25 **Marion County**. This amount shall be applied to the cost of
 26 construction for the stadium part of the facility. This amount
 27 does not have to be delivered until a lease is entered into for
 28 the stadium between the authority and the capital improvement
 29 board.
- 30 (G) The authority agrees to consult with the staff of the capital
 31 improvement board on an as needed basis during the design
 32 and construction of the facility, and the capital improvement
 33 board agrees to make its staff available for this purpose.
- 34 (H) The authority, ~~the county~~, **Marion County**, the
 35 consolidated city, the capital improvement board and the
 36 National Football League franchised professional football
 37 team must commit to using their best efforts to assist and
 38 cooperate with one another to design and construct the facility
 39 on time and on budget.
- 40 (2) The capital improvement board and the National Football
 41 League franchised professional football team have entered into a
 42 lease for the stadium part of the facility that has been approved by



- 1 the authority and has a term of at least thirty (30) years.
- 2 SECTION 13. IC 5-1-17-25, AS ADDED BY P.L.214-2005,
 3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 APRIL 1, 2022]: Sec. 25. The authority shall not issue bonds in a
 5 principal amount exceeding five hundred million dollars
 6 (\$500,000,000) to finance any capital improvement in a **Marion**
 7 **County having a consolidated first class city** unless:
- 8 (1) on or before June 30, 2005, the county fiscal body:
- 9 (A) increases the rate of the tax authorized by IC 6-6-9.7 by
 10 the maximum amount authorized by IC 6-6-9.7-7(c);
- 11 (B) increases the rate of the tax authorized by IC 6-9-8 by the
 12 maximum amount authorized by IC 6-9-8-3(d);
- 13 (C) increases the rate of tax authorized by IC 6-9-12 by the
 14 maximum amount authorized by IC 6-9-12-5(b); and
- 15 (D) increases the rate of the tax authorized by IC 6-9-13 by the
 16 maximum amount authorized by IC 6-9-13-2(b); and
- 17 (2) on or before October 1, 2005, the budget director makes a
 18 determination under IC 36-7-31-14.1 to increase the amount of
 19 money captured in a tax area established under IC 36-7-31 by up
 20 to eleven million dollars (\$11,000,000) per year, commencing
 21 July 1, 2007.
- 22 SECTION 14. IC 5-1.4-1-5, AS AMENDED BY P.L.119-2012,
 23 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 APRIL 1, 2022]: Sec. 5. "City" refers to any of the following:
- 25 (1) A consolidated city.
- 26 (2) A second class city.
- 27 (3) A city having a population of more than ~~five thousand (5,000)~~
 28 ~~but less than five thousand one hundred (5,100):~~ **five thousand**
 29 **(5,000) and less than five thousand one hundred thirty (5,130).**
- 30 SECTION 15. IC 5-1.4-1-10, AS AMENDED BY P.L.119-2012,
 31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 APRIL 1, 2022]: Sec. 10. "Qualified entity" means the following:
- 33 (1) A city.
- 34 (2) A county.
- 35 (3) A special taxing district located wholly within a county.
- 36 (4) Any entity whose tax levies are subject to review and
 37 modification by a city-county legislative body under IC 36-3-6-9.
- 38 (5) A political subdivision (as defined in IC 36-1-2-13) that is
 39 located wholly within a ~~county:~~ **any of the following counties:**
- 40 (A) **A county** that has a population of
 41 ~~(i)~~ more than four hundred thousand (400,000) ~~but and less~~
 42 than seven hundred thousand (700,000). ~~or~~



- 1 (ii) more than two hundred fifty thousand (250,000) but less
 2 than two hundred seventy thousand (270,000); or
 3 **(B) A county having a population of more than two**
 4 **hundred fifty thousand (250,000) and less than three**
 5 **hundred thousand (300,000).**
 6 ~~(B)~~ **(C) A county** containing a city that:
 7 (i) is described in section 5(3) of this chapter; and
 8 (ii) has a public improvement bond bank under this article.
 9 (6) A charter school established under IC 20-24 that is sponsored
 10 by the ~~executive~~ **mayor** of a ~~the~~ consolidated city.
 11 (7) Any authority created under IC 36 that leases land or facilities
 12 to any qualified entity listed in subdivisions (1) through (6).
 13 SECTION 16. IC 5-10.4-4-1, AS AMENDED BY P.L.217-2017,
 14 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 APRIL 1, 2022]: Sec. 1. (a) The members of the fund include:
 16 (1) legally qualified and regularly employed teachers in the public
 17 schools;
 18 (2) persons employed by a governing body, who were qualified
 19 before their election or appointment;
 20 (3) legally qualified and regularly employed teachers at Ball State
 21 University, Indiana State University, University of Southern
 22 Indiana, and Vincennes University;
 23 (4) legally qualified and regularly employed teachers in a state
 24 educational institution whose teachers devote their entire time to
 25 teaching;
 26 (5) legally qualified and regularly employed teachers in state
 27 benevolent, charitable, or correctional institutions;
 28 (6) legally qualified and regularly employed teachers in an
 29 experimental school in a state university who teach elementary or
 30 high school students;
 31 (7) as determined by the board, certain instructors serving in a
 32 state educational institution extension division not covered by a
 33 state retirement law;
 34 (8) employees and officers of the department of education and of
 35 the fund who were qualified before their election or appointment;
 36 (9) a person who:
 37 (A) is employed as a nurse appointed under IC 20-34-3-6 by
 38 a school corporation located in a city having a population of
 39 more than ~~eighty thousand (80,000)~~ but less than ~~eighty~~
 40 ~~thousand four hundred (80,400);~~ **sixty-nine thousand**
 41 **(69,000) and less than sixty-nine thousand five hundred**
 42 **(69,500);** and



- 1 (B) participated in the fund before December 31, 1991, in the
 2 position described in clause (A); and
 3 (10) persons who are employed by the fund.
- 4 (b) Teachers in any state institution who accept the benefits of a
 5 state supported retirement benefit system comparable to the fund's
 6 benefits may not come under the fund unless permitted by law or the
 7 rules of the board.
- 8 (c) The members of the fund do not include substitute teachers who
 9 have not obtained an associate degree or a baccalaureate degree.
- 10 (d) The members of the fund do not include individuals who
 11 participate in the teachers' defined contribution plan under IC 5-10.4-8.
- 12 SECTION 17. IC 5-13-9-2, AS AMENDED BY P.L.47-2016,
 13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 APRIL 1, 2022]: Sec. 2. (a) Each officer designated in section 1 of this
 15 chapter may invest or reinvest any funds that are held by the officer and
 16 available for investment in any of the following:
- 17 (1) Securities backed by the full faith and credit of the United
 18 States Treasury or fully guaranteed by the United States and
 19 issued by any of the following:
- 20 (A) The United States Treasury.
 21 (B) A federal agency.
 22 (C) A federal instrumentality.
 23 (D) A federal government sponsored enterprise.
- 24 (2) Securities fully guaranteed and issued by any of the following:
- 25 (A) A federal agency.
 26 (B) A federal instrumentality.
 27 (C) A federal government sponsored enterprise.
- 28 (3) Municipal securities issued by an Indiana local governmental
 29 entity, a quasi-governmental entity related to the state, or a unit of
 30 government, municipal corporation, or special taxing district in
 31 Indiana, if the issuer has not defaulted on any of the issuer's
 32 obligations within the twenty (20) years preceding the date of the
 33 purchase. A security purchased by the treasurer of state under this
 34 subdivision must have a stated final maturity of not more than ten
 35 (10) years after the date of purchase.
- 36 (b) If an investment under subsection (a) is made at a cost in excess
 37 of the par value of the securities purchased, any premium paid for the
 38 securities shall be deducted from the first interest received and returned
 39 to the fund from which the investment was purchased, and only the net
 40 amount is considered interest income.
- 41 (c) The officer making the investment may sell any securities
 42 acquired and may do anything necessary to protect the interests of the



1 funds invested, including the exercise of exchange privileges which
 2 may be granted with respect to maturing securities in cases where the
 3 new securities offered in exchange meet the requirements for initial
 4 investment.

5 (d) The investing officers of the political subdivisions are the legal
 6 custodians of securities under this chapter. They shall accept
 7 safekeeping receipts or other reporting for securities from:

- 8 (1) a duly designated depository as prescribed in this article; or
 9 (2) a financial institution located either in or out of Indiana having
 10 custody of securities with a combined capital and surplus of at
 11 least ten million dollars (\$10,000,000) according to the last
 12 statement of condition filed by the financial institution with its
 13 governmental supervisory body.

14 (e) The state board of accounts may rely on safekeeping receipts or
 15 other reporting from any depository or financial institution.

16 (f) In addition to any other investments allowed under this chapter,
 17 an officer of a conservancy district located in a city having a population
 18 of more than ~~five thousand (5,000)~~ but less than ~~five thousand one~~
 19 ~~hundred (5,100)~~ **five thousand (5,000) and less than five thousand**
 20 **one hundred thirty (5,130)** may also invest in:

- 21 (1) municipal securities; and
 22 (2) equity securities;

23 having a stated final maturity of any number of years or having no
 24 stated final maturity. The total investments outstanding under this
 25 subsection may not exceed twenty-five percent (25%) of the total
 26 portfolio of funds invested by the officer of a conservancy district.
 27 However, an investment that complies with this subsection when the
 28 investment is made remains legal even if a subsequent decrease in the
 29 total portfolio invested by the officer of a conservancy district causes
 30 the percentage of investments outstanding under this subsection to
 31 exceed twenty-five percent (25%).

32 (g) In addition to any other investments allowed under this chapter,
 33 a ~~the~~ clerk-treasurer of a town with a population of more than ~~five~~
 34 ~~thousand (5,000)~~ but less than ~~ten thousand (10,000)~~ located in a
 35 county having a population of more than ~~one hundred forty thousand~~
 36 ~~(140,000)~~ but less than ~~one hundred fifty thousand (150,000)~~ **ten**
 37 **thousand (10,000) and less than twenty thousand (20,000) located**
 38 **in a county having a population of more than one hundred**
 39 **seventy-four thousand (174,000) and less than one hundred eighty**
 40 **thousand (180,000)** may also invest money in a host community
 41 agreement future fund established by ordinance of the town in:

- 42 (1) municipal securities; and



1 (2) equity securities;
 2 having a stated final maturity of any number of years or having no
 3 stated final maturity. The total investments outstanding under this
 4 subsection may not exceed twenty-five percent (25%) of the total
 5 portfolio of funds invested by the clerk-treasurer of a town. However,
 6 an investment that complies with this subsection when the investment
 7 is made remains legal even if a subsequent decrease in the total
 8 portfolio invested by the clerk-treasurer of a town causes the
 9 percentage of investments outstanding under this subsection to exceed
 10 twenty-five percent (25%).

11 SECTION 18. IC 5-13-9-5.6, AS AMENDED BY P.L.43-2012,
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 APRIL 1, 2022]: Sec. 5.6. Except for investments allowed under
 14 section 2(f) or 2(g) of this chapter, investments made under this chapter
 15 must have a stated final maturity of not more than:

16 (1) five (5) years after the date of purchase or entry into a
 17 repurchase agreement for a conservancy district located in a city
 18 having a population of more than ~~five thousand (5,000)~~ but less
 19 than ~~five thousand one hundred (5,100)~~; **five thousand (5,000)**
 20 **and less than five thousand one hundred thirty (5,130)**;

21 (2) five (5) years after the date of purchase or entry into a
 22 repurchase agreement for investments made from a host
 23 community agreement future fund established by ordinance of a
 24 town with a population of more than ~~five thousand (5,000)~~ but
 25 less than ~~ten thousand (10,000)~~ located in a county having a
 26 population of more than ~~one hundred forty thousand (140,000)~~
 27 but less than ~~one hundred fifty thousand (150,000)~~; **ten thousand**
 28 **(10,000) and less than twenty thousand (20,000) located in a**
 29 **county having a population of more than one hundred**
 30 **seventy-four thousand (174,000) and less than one hundred**
 31 **eighty thousand (180,000); or**

32 (3) two (2) years after the date of purchase or entry into a
 33 repurchase agreement for:

34 (A) a fund not described in subdivision (1) or (2); or

35 (B) a political subdivision that:

36 (i) is not described in subdivision (1) or (2); and

37 (ii) does not have in effect an investment policy and
 38 ordinance under section 5.7 of this chapter.

39 SECTION 19. IC 6-1.1-10-15, AS AMENDED BY P.L.180-2016,
 40 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 APRIL 1, 2022]: Sec. 15. (a) The acquisition and improvement of land
 42 for use by the public as an airport and the maintenance of commercial



1 passenger aircraft is a municipal purpose regardless of whether the
 2 airport or maintenance facility is owned or operated by a municipality.
 3 The owner of any airport located in this state, who holds a valid and
 4 current public airport certificate issued by the Indiana department of
 5 transportation, may claim an exemption for only so much of the land as
 6 is reasonably necessary to and used for public airport purposes. A
 7 person maintaining commercial passenger aircraft in a county having
 8 a population of:

9 (1) more than ~~two hundred fifty thousand (250,000)~~ but less than
 10 ~~two hundred seventy thousand (270,000)~~; **two hundred fifty**
 11 **thousand (250,000) and less than three hundred thousand**
 12 **(300,000);** or

13 (2) more than ~~three hundred thousand (300,000)~~ but less than ~~four~~
 14 ~~hundred thousand (400,000)~~; **three hundred fifty thousand**
 15 **(350,000) and less than four hundred thousand (400,000);**

16 may claim an exemption for commercial passenger aircraft not subject
 17 to the aircraft excise tax under IC 6-6-6.5 that is being assessed under
 18 this article, if it is located in the county only for the purposes of
 19 maintenance.

20 (b) The exemption provided by this section is noncumulative and
 21 applies only to property that would not otherwise be exempt. Nothing
 22 contained in this section applies to or affects any other tax exemption
 23 provided by law.

24 (c) As used in this section, "land used for public airport purposes"
 25 includes the following:

26 (1) That part of airport land used for the taking off or landing of
 27 aircraft, taxiways, runway and taxiway lighting, access roads, auto
 28 and aircraft parking areas, and all buildings providing basic
 29 facilities for the traveling public.

30 (2) Real property owned by the airport owner and used for airport
 31 operation and maintenance purposes, which includes the
 32 following property:

33 (A) Leased property that:

34 (i) is used for agricultural purposes; and

35 (ii) is located within the area that federal law and regulations
 36 of the Federal Aviation Administration restrict to activities
 37 and purposes compatible with normal airport operations.

38 (B) Runway protection zones.

39 (C) Avigation easements.

40 (D) Safety and transition areas, as specified in IC 8-21-10
 41 concerning the regulation of tall structures and 14 CFR Part 77
 42 concerning the safe, efficient use and preservation of the



- 1 navigable airspace.
- 2 (E) Land purchased using funds that include grant money
- 3 provided by the Federal Aviation Administration or the
- 4 Indiana department of transportation.
- 5 (3) Real property used in providing for the shelter, storage, or care
- 6 of aircraft, including hangars.
- 7 (4) Housing for weather and signaling equipment, navigational
- 8 aids, radios, or other electronic equipment.
- 9 The term does not include land areas used solely for purposes unrelated
- 10 to aviation.
- 11 SECTION 20. IC 6-1.1-10-16.5, AS AMENDED BY P.L.119-2012,
- 12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 APRIL 1, 2022]: Sec. 16.5. (a) This section applies to real property
- 14 located in either of the following:
- 15 (1) A county having a population of more than ~~twenty thousand~~
- 16 ~~(20,000) but less than twenty thousand five hundred (20,500):~~
- 17 **twenty thousand (20,000) and less than twenty thousand four**
- 18 **hundred (20,400).**
- 19 (2) A county having a population of more than ~~twenty-four~~
- 20 ~~thousand five hundred (24,500) but less than twenty-five~~
- 21 ~~thousand (25,000):~~ **twenty-four thousand six hundred (24,600)**
- 22 **and less than twenty-five thousand (25,000).**
- 23 (b) A tract of real property owned by a nonprofit public benefit
- 24 corporation (as defined in IC 23-17-2-23) is exempt from property
- 25 taxation if all of the following apply:
- 26 (1) The tract is located:
- 27 (A) under a lake or reservoir; or
- 28 (B) adjacent to a lake or reservoir.
- 29 (2) The lake or reservoir under which or adjacent to which the
- 30 tract is located was formed by a dam or control structure owned
- 31 and operated by a public utility for the generation of hydroelectric
- 32 power.
- 33 (3) The public benefit corporation that owns the tract is exempt
- 34 from federal income taxation under Section 501(c)(3) of the
- 35 Internal Revenue Code and has maintained its tax exempt status
- 36 for the previous three (3) years.
- 37 (4) The public benefit corporation that owns the tract is primarily
- 38 engaged in active efforts to protect and enhance the environment
- 39 and water quality of the lake or reservoir under which or adjacent
- 40 to which the tract is located in order to facilitate the public
- 41 recreational use of the lake or reservoir.
- 42 (c) A tract of real property owned by a nonprofit public benefit



1 corporation described in subsection (b) is exempt from property
 2 taxation if the tract is used by the public benefit corporation in the
 3 public benefit corporation's efforts to enhance the environment and
 4 water quality of a lake or reservoir described in subsection (b).

5 SECTION 21. IC 6-1.1-12.1-2, AS AMENDED BY P.L.288-2013,
 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 APRIL 1, 2022]: Sec. 2. (a) A designating body may find that a
 8 particular area within its jurisdiction is an economic revitalization area.
 9 However, the deduction provided by this chapter for economic
 10 revitalization areas not within a city or town shall not be available to
 11 retail businesses.

12 (b) In a county containing a consolidated city or within a city or
 13 town, a designating body may find that a particular area within its
 14 jurisdiction is a residentially distressed area. Designation of an area as
 15 a residentially distressed area has the same effect as designating an
 16 area as an economic revitalization area, except that the amount of the
 17 deduction shall be calculated as specified in section 4.1 of this chapter
 18 and the deduction is allowed for not more than the number of years
 19 specified by the designating body under section 17 of this chapter. In
 20 order to declare a particular area a residentially distressed area, the
 21 designating body must follow the same procedure that is required to
 22 designate an area as an economic revitalization area and must make all
 23 the following additional findings or all the additional findings
 24 described in subsection (c):

25 (1) The area is comprised of parcels that are either unimproved or
 26 contain only one (1) or two (2) family dwellings or multifamily
 27 dwellings designed for up to four (4) families, including accessory
 28 buildings for those dwellings.

29 (2) Any dwellings in the area are not permanently occupied and
 30 are:

31 (A) the subject of an order issued under IC 36-7-9; or

32 (B) evidencing significant building deficiencies.

33 (3) Parcels of property in the area:

34 (A) have been sold and not redeemed under IC 6-1.1-24 and
 35 IC 6-1.1-25; or

36 (B) are owned by a unit of local government.

37 However, in a city in a county having a population of more than ~~two~~
 38 ~~hundred fifty thousand (250,000) but less than two hundred seventy~~
 39 ~~thousand (270,000); **two hundred fifty thousand (250,000) and less**~~
 40 ~~than three hundred thousand (300,000)~~, the designating body is only
 41 required to make one (1) of the additional findings described in this
 42 subsection or one (1) of the additional findings described in subsection



1 (c).

2 (c) In a county containing a consolidated city or within a city or
3 town, a designating body that wishes to designate a particular area a
4 residentially distressed area may make the following additional
5 findings as an alternative to the additional findings described in
6 subsection (b):

7 (1) A significant number of dwelling units within the area are not
8 permanently occupied or a significant number of parcels in the
9 area are vacant land.

10 (2) A significant number of dwelling units within the area are:

11 (A) the subject of an order issued under IC 36-7-9; or

12 (B) evidencing significant building deficiencies.

13 (3) The area has experienced a net loss in the number of dwelling
14 units, as documented by census information, local building and
15 demolition permits, or certificates of occupancy, or the area is
16 owned by Indiana or the United States.

17 (4) The area (plus any areas previously designated under this
18 subsection) will not exceed ten percent (10%) of the total area
19 within the designating body's jurisdiction.

20 However, in a city in a county having a population of more than ~~two~~
21 ~~hundred fifty thousand (250,000) but less than two hundred seventy~~
22 ~~thousand (270,000)~~, **two hundred fifty thousand (250,000) and less**
23 **than three hundred thousand (300,000)**, the designating body is only
24 required to make one (1) of the additional findings described in this
25 subsection as an alternative to one (1) of the additional findings
26 described in subsection (b).

27 (d) A designating body is required to attach the following conditions
28 to the grant of a residentially distressed area designation:

29 (1) The deduction will not be allowed unless the dwelling is
30 rehabilitated to meet local code standards for habitability.

31 (2) If a designation application is filed, the designating body may
32 require that the redevelopment or rehabilitation be completed
33 within a reasonable period of time.

34 (e) To make a designation described in subsection (a) or (b), the
35 designating body shall use procedures prescribed in section 2.5 of this
36 chapter.

37 (f) The property tax deductions provided by section 3, 4.5, or 4.8 of
38 this chapter are only available within an area which the designating
39 body finds to be an economic revitalization area.

40 (g) The designating body may adopt a resolution establishing
41 general standards to be used, along with the requirements set forth in
42 the definition of economic revitalization area, by the designating body



1 in finding an area to be an economic revitalization area. The standards
 2 must have a reasonable relationship to the development objectives of
 3 the area in which the designating body has jurisdiction. The following
 4 four (4) sets of standards may be established:

5 (1) One (1) relative to the deduction under section 3 of this
 6 chapter for economic revitalization areas that are not residentially
 7 distressed areas.

8 (2) One (1) relative to the deduction under section 3 of this
 9 chapter for residentially distressed areas.

10 (3) One (1) relative to the deduction allowed under section 4.5 of
 11 this chapter.

12 (4) One (1) relative to the deduction allowed under section 4.8 of
 13 this chapter.

14 (h) A designating body may impose a fee for filing a designation
 15 application for a person requesting the designation of a particular area
 16 as an economic revitalization area. The fee may be sufficient to defray
 17 actual processing and administrative costs. However, the fee charged
 18 for filing a designation application for a parcel that contains one (1) or
 19 more owner-occupied, single-family dwellings may not exceed the cost
 20 of publishing the required notice.

21 (i) In declaring an area an economic revitalization area, the
 22 designating body may:

23 (1) limit the time period to a certain number of calendar years
 24 during which the economic revitalization area shall be so
 25 designated;

26 (2) limit the type of deductions that will be allowed within the
 27 economic revitalization area to the deduction allowed under
 28 section 3 of this chapter, the deduction allowed under section 4.5
 29 of this chapter, the deduction allowed under section 4.8 of this
 30 chapter, or any combination of these deductions;

31 (3) limit the dollar amount of the deduction that will be allowed
 32 with respect to new manufacturing equipment, new research and
 33 development equipment, new logistical distribution equipment,
 34 and new information technology equipment;

35 (4) limit the dollar amount of the deduction that will be allowed
 36 with respect to redevelopment and rehabilitation occurring in
 37 areas that are designated as economic revitalization areas;

38 (5) limit the dollar amount of the deduction that will be allowed
 39 under section 4.8 of this chapter with respect to the occupation of
 40 an eligible vacant building; or

41 (6) impose reasonable conditions related to the purpose of this
 42 chapter or to the general standards adopted under subsection (g)



1 for allowing the deduction for the redevelopment or rehabilitation
 2 of the property or the installation of the new manufacturing
 3 equipment, new research and development equipment, new
 4 logistical distribution equipment, or new information technology
 5 equipment.

6 To exercise one (1) or more of these powers, a designating body must
 7 include this fact in the resolution passed under section 2.5 of this
 8 chapter.

9 (j) Notwithstanding any other provision of this chapter, if a
 10 designating body limits the time period during which an area is an
 11 economic revitalization area, that limitation does not:

12 (1) prevent a taxpayer from obtaining a deduction for new
 13 manufacturing equipment, new research and development
 14 equipment, new logistical distribution equipment, or new
 15 information technology equipment installed on or before the
 16 approval deadline determined under section 9 of this chapter, but
 17 after the expiration of the economic revitalization area if the new
 18 manufacturing equipment, new research and development
 19 equipment, new logistical distribution equipment, or new
 20 information technology equipment was described in a statement
 21 of benefits submitted to and approved by the designating body in
 22 accordance with section 4.5 of this chapter before the expiration
 23 of the economic revitalization area designation; or

24 (2) limit the length of time a taxpayer is entitled to receive a
 25 deduction to a number of years that is less than the number of
 26 years designated under section 17 of this chapter.

27 (k) In addition to the other requirements of this chapter, if property
 28 located in an economic revitalization area is also located in an
 29 allocation area (as defined in IC 36-7-14-39 or IC 36-7-15.1-26), a
 30 taxpayer's statement of benefits concerning that property may not be
 31 approved under this chapter unless a resolution approving the
 32 statement of benefits is adopted by the legislative body of the unit that
 33 approved the designation of the allocation area.

34 SECTION 22. IC 6-1.1-12.1-4.7, AS AMENDED BY P.L.288-2013,
 35 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 APRIL 1, 2022]: Sec. 4.7. (a) Section 4.5(d) of this chapter does not
 37 apply to new manufacturing equipment located in a township having
 38 a population of more than ~~four thousand (4,000)~~ but less than seven
 39 thousand (7,000) located in a county having a population of more than
 40 ~~forty-two thousand (42,000)~~ but less than ~~forty-two thousand three~~
 41 ~~hundred (42,300)~~ **three thousand nine hundred (3,900) and less than**
 42 **seven thousand (7,000) located in a county having a population of**



1 **more than forty-three thousand (43,000) and less than forty-three**
 2 **thousand five hundred (43,500)** if the total original cost of all new
 3 manufacturing equipment placed into service by the owner during the
 4 preceding sixty (60) months exceeds fifty million dollars
 5 (\$50,000,000), and if the economic revitalization area in which the new
 6 manufacturing equipment was installed was approved by the
 7 designating body before September 1, 1994.

8 (b) Section 4.5(d) of this chapter does not apply to new
 9 manufacturing equipment located in a county having a population of
 10 more than ~~thirty-three thousand five hundred (33,500)~~ but less than
 11 ~~thirty-four thousand (34,000)~~ **thirty-three thousand (33,000) and less**
 12 **than thirty-three thousand one hundred (33,100)** if:

13 (1) the total original cost of all new manufacturing equipment
 14 placed into service in the county by the owner exceeds five
 15 hundred million dollars (\$500,000,000); and

16 (2) the economic revitalization area in which the new
 17 manufacturing equipment was installed was approved by the
 18 designating body before January 1, 2001.

19 (c) A deduction under section 4.5(c) of this chapter is not allowed
 20 with respect to new manufacturing equipment described in subsection
 21 (b) in the first year the deduction is claimed or in subsequent years as
 22 permitted by section 4.5(c) of this chapter to the extent the deduction
 23 would cause the assessed value of all real property and personal
 24 property of the owner in the taxing district to be less than the
 25 incremental net assessed value for that year.

26 (d) The following apply for purposes of subsection (c):

27 (1) A deduction under section 4.5(c) of this chapter shall be
 28 disallowed only with respect to new manufacturing equipment
 29 installed after March 1, 2000.

30 (2) "Incremental net assessed value" means the sum of:

31 (A) the net assessed value of real property and depreciable
 32 personal property from which property tax revenues are
 33 required to be held in trust and pledged for the benefit of the
 34 owners of bonds issued by the redevelopment commission of
 35 a county described in subsection (b) under resolutions adopted
 36 November 16, 1998, and July 13, 2000 (as amended
 37 November 27, 2000); plus

38 (B) fifty-four million four hundred eighty-one thousand seven
 39 hundred seventy dollars (\$54,481,770).

40 (3) The assessed value of real property and personal property of
 41 the owner shall be determined after the deductions provided by
 42 sections 3 and 4.5 of this chapter.



1 (4) The personal property of the owner shall include inventory.

2 (5) The amount of deductions provided by section 4.5 of this
3 chapter with respect to new manufacturing equipment that was
4 installed on or before March 1, 2000, shall be increased from
5 thirty-three and one-third percent (33 1/3%) of true tax value to
6 one hundred percent (100%) of true tax value for assessment
7 dates after February 28, 2001.

8 (e) A deduction not fully allowed under subsection (c) in the first
9 year the deduction is claimed or in a subsequent year permitted by
10 section 4.5 of this chapter shall be carried over and allowed as a
11 deduction in succeeding years. A deduction that is carried over to a
12 year but is not allowed in that year under this subsection shall be
13 carried over and allowed as a deduction in succeeding years. The
14 following apply for purposes of this subsection:

15 (1) A deduction that is carried over to a succeeding year is not
16 allowed in that year to the extent that the deduction, together
17 with:

18 (A) deductions otherwise allowed under section 3 of this
19 chapter;

20 (B) deductions otherwise allowed under section 4.5 of this
21 chapter; and

22 (C) other deductions carried over to the year under this
23 subsection;

24 would cause the assessed value of all real property and personal
25 property of the owner in the taxing district to be less than the
26 incremental net assessed value for that year.

27 (2) Each time a deduction is carried over to a succeeding year, the
28 deduction shall be reduced by the amount of the deduction that
29 was allowed in the immediately preceding year.

30 (3) A deduction may not be carried over to a succeeding year
31 under this subsection if such year is after the period specified in
32 section 4.5(c) of this chapter or the period specified in a
33 resolution adopted by the designating body under section 4.5(e)
34 of this chapter.

35 SECTION 23. IC 6-1.1-12.1-10, AS AMENDED BY P.L.119-2012,
36 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 APRIL 1, 2022]: Sec. 10. (a) This section applies to a town having a
38 population of more than ~~two thousand five hundred (2,500)~~ located in
39 a county having a population of more than ~~twenty-seven thousand~~
40 ~~(27,000)~~ but less than ~~twenty-eight thousand (28,000)~~. **one thousand**
41 **(1,000)** located in a county having a population of more than
42 **twenty-eight thousand (28,000)** and less than **twenty-eight**



1 **thousand one hundred eighty-one (28,181).**

2 (b) Notwithstanding sections 3 and 4.5 of this chapter, the
3 submission of a statement of benefits to a designating body subsequent
4 to the installation of new manufacturing equipment and the initiation
5 of the rehabilitation or redevelopment of real estate and the designating
6 body's retroactive approval of that statement of benefits are legalized
7 and validated for 1993 and subsequent assessment years, subject to the
8 limitations set forth in section 5(e) of this chapter.

9 SECTION 24. IC 6-1.1-18.5-9.5, AS AMENDED BY P.L.119-2012,
10 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 APRIL 1, 2022]: Sec. 9.5. (a) This section applies to civil taxing units
12 located in a county having a population of more than ~~one hundred~~
13 ~~eleven thousand (111,000)~~ but less than ~~one hundred fifteen thousand~~
14 ~~(115,000)~~: **one hundred twelve thousand (112,000) and less than one**
15 **hundred twenty thousand (120,000).**

16 (b) The ad valorem property tax levy limits imposed by section 3 of
17 this chapter do not apply to ad valorem property taxes imposed by a
18 civil taxing unit under IC 8-10-5-17. For purposes of computing the ad
19 valorem property tax levy limit imposed on a civil taxing unit under
20 section 3 of this chapter, the civil taxing unit's ad valorem property tax
21 levy for a particular calendar year does not include that part of the levy
22 imposed under IC 8-10-5-17.

23 SECTION 25. IC 6-1.1-21.5-1, AS AMENDED BY P.L.119-2012,
24 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 APRIL 1, 2022]: Sec. 1. As used in this chapter, "qualified taxing unit"
26 means each of the following:

27 (1) A city having a population of more than ~~twenty-nine thousand~~
28 ~~six hundred (29,600)~~ but less than ~~twenty-nine thousand nine~~
29 ~~hundred (29,900)~~: **twenty-six thousand (26,000) and less than**
30 **twenty-eight thousand (28,000).**

31 (2) The sanitary district of a city described in subdivision (1).

32 (3) The library district of a city described in subdivision (1).

33 (4) The school corporation located in a city described in
34 subdivision (1).

35 SECTION 26. IC 6-1.1-21.8-2, AS AMENDED BY P.L.119-2012,
36 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 APRIL 1, 2022]: Sec. 2. As used in this chapter, "qualified taxing unit"
38 means a taxing unit located in a county having a population of more
39 than ~~one hundred fifty thousand (150,000)~~ but less than ~~one hundred~~
40 ~~seventy thousand (170,000)~~: **one hundred seventy thousand**
41 **(170,000) and less than one hundred seventy-four thousand**
42 **(174,000).**



1 SECTION 27. IC 6-3.1-10-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) As used in this
 3 chapter, "taxpayer" means any individual that has any state tax liability.

4 (b) Notwithstanding subsection (a), for a credit for a qualified
 5 investment in a business located in an enterprise zone in a county
 6 having a population of more than ~~one hundred five thousand (105,000)~~
 7 ~~but less than one hundred ten thousand (110,000)~~; **one hundred**
 8 **thousand (100,000) and less than one hundred ten thousand**
 9 **(110,000)**, "taxpayer" includes a pass through entity.

10 SECTION 28. IC 6-3.6-6-8.5, AS AMENDED BY P.L.247-2017,
 11 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 APRIL 1, 2022]: Sec. 8.5. (a) This section applies only to Marion
 13 County.

14 (b) The adopting body may allocate additional revenue to fund the
 15 operation of a public library in a ~~county containing a consolidated city~~
 16 **Marion County** as provided in an election, if any, made by the county
 17 fiscal body under IC 36-3-7-6. An allocation under this section shall be
 18 made from the part of the additional revenue that would otherwise be
 19 allocated as certified shares.

20 (c) The adopting body may allocate additional revenue to fund the
 21 operation of a public transportation corporation as provided in an
 22 election, if any, made by the county fiscal body under IC 36-9-4-42. An
 23 allocation under this section shall be made from the part of the
 24 additional revenue that would otherwise be allocated as certified
 25 shares.

26 (d) The adopting body may allocate additional revenue to fund the
 27 operation of a public communications systems and computer facilities
 28 district as provided in an election, if any, made by the county fiscal
 29 body under IC 36-8-15-19(b). The additional revenue shall be allocated
 30 and distributed before the allocation and distribution of the remaining
 31 tax revenue under this chapter.

32 SECTION 29. IC 6-9-1-2, AS AMENDED BY P.L.119-2012,
 33 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 APRIL 1, 2022]: Sec. 2. (a) In a county having a population of more
 35 than ~~two hundred fifty thousand (250,000) but less than two hundred~~
 36 ~~seventy thousand (270,000)~~; **two hundred fifty thousand (250,000)**
 37 **and less than three hundred thousand (300,000)**, there is hereby
 38 created on and after January 1, 1973, a special funds board of
 39 managers.

40 (b) The board of managers shall be composed of eleven (11)
 41 members as follows:

42 (1) Six (6) appointed by the mayor of the city having the largest



- 1 population in the county, one (1) of whom shall be from the hotel
 2 motel industry.
- 3 (2) Three (3) appointed by the mayor of the city having the
 4 second largest population in the county, one (1) of whom may be
 5 from the hotel motel industry.
- 6 (3) Two (2) appointed by the board of county commissioners of
 7 ~~such the~~ county, one (1) of whom shall be from the hotel motel
 8 industry.
- 9 (c) Except for the members first appointed, each member of the
 10 board of managers shall serve for a term of two (2) years commencing
 11 on the fifteenth day of the January following their appointment and
 12 until their successors are appointed and are qualified.
- 13 (d) The two (2) members first appointed by the board of
 14 commissioners shall serve from the date of their appointment staggered
 15 terms as follows:
- 16 (1) One (1) to January 15 of the year following the appointment.
 17 (2) One (1) to January 15 of the second year following the
 18 appointment.
- 19 (e) Three (3) of the members first appointed by the mayor of the city
 20 having the largest population in the county and the three (3) members
 21 first appointed by the mayor of the city having the second largest
 22 population in the county shall serve from the date of their appointment
 23 as follows:
- 24 (1) One (1) appointed by each mayor to January 15 of the year
 25 following the appointment.
 26 (2) Two (2) appointed by each mayor to January 15 of the second
 27 year following their appointment.
- 28 (f) The three (3) remaining members first appointed by the mayor
 29 of the city having the largest population in the county shall serve to
 30 January 15 of the second year following their appointment.
- 31 (g) At the end of the term of any member of the board of managers,
 32 the person or body making the original appointment may reappoint
 33 such person whose term has expired or appoint a new member for a full
 34 two (2) year term.
- 35 (h) If a vacancy occurs in the board of managers during any term, a
 36 successor for the vacancy shall be appointed by the person or body
 37 making the original appointment, and such successor shall serve for the
 38 remainder of the vacated term.
- 39 (i) Any member of the board of managers may be removed for cause
 40 by the person or body making the original appointment.
- 41 (j) ~~No~~ **Not** more than two (2) members of the board of managers
 42 appointed by the mayor of the city with the second largest population



1 in the county shall be of the same political party. No more than three
 2 (3) of the board of managers appointed by the mayor of the city having
 3 the largest population in the county shall be of the same political party.

4 (k) Each member of the board of managers, before entering upon the
 5 member's duties, shall take and subscribe an oath of office in the usual
 6 form, to be endorsed upon the member's certificate of appointment,
 7 which shall be promptly filed with the county's circuit court clerk. Each
 8 member of the board of managers must be a resident of the county
 9 during the member's entire term. Such member shall receive no salary,
 10 but shall be entitled to reimbursement for any expenses necessarily
 11 incurred in the performance of the member's duties.

12 SECTION 30. IC 6-9-1-5, AS AMENDED BY P.L.69-2021,
 13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 APRIL 1, 2022]: Sec. 5. (a) In a county having a population of more
 15 than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred~~
 16 ~~seventy thousand (270,000)~~; **two hundred fifty thousand (250,000)**
 17 **and less than three hundred thousand (300,000)**, there shall be
 18 levied each year a tax on every person engaged in the business of
 19 renting or furnishing, for periods of less than thirty (30) days, any room
 20 or rooms, lodgings, or accommodations in any commercial hotel,
 21 motel, inn, tourist camp, or tourist cabin.

22 (b) Except as otherwise provided in this section, the tax imposed
 23 under subsection (a) is imposed at the rate of six percent (6%) on the
 24 gross income derived from lodging income only and shall be in
 25 addition to the state gross retail tax imposed on such persons by
 26 IC 6-2.5. After June 30, 2021, the county fiscal body may adopt an
 27 ordinance to increase the tax rate to not more than eight percent (8%).

28 (c) The tax shall be paid quarterly to the county treasurer not more
 29 than twenty (20) days after the end of the quarter in which the tax is
 30 collected. All provisions of IC 6-2.5 relating to rights, duties, liabilities,
 31 procedures, penalties, exemptions, and definitions apply to the
 32 imposition of the tax imposed by this section except as otherwise
 33 provided by this chapter, and except that the county treasurer, and not
 34 the department of state revenue, is responsible for administration of the
 35 tax. All provisions of IC 6-8.1 apply to the county treasurer with
 36 respect to the tax imposed by this section in the same manner that they
 37 apply to the department of state revenue with respect to the other listed
 38 taxes under IC 6-8.1-1-1.

39 (d) The tax imposed under subsection (a) does not apply to the
 40 renting or furnishing of rooms, lodgings, or accommodations to a
 41 person for a period of thirty (30) days or more.

42 (e) If the county fiscal body adopts an ordinance to increase the tax



- 1 rate after June 30, 2021, under subsection (b), the county fiscal body
 2 shall:
- 3 (1) specify the effective date of the ordinance to provide that the
 4 ordinance takes effect:
- 5 (A) at least thirty (30) days after the adoption of the ordinance;
 6 and
 7 (B) on the first day of a month; and
- 8 (2) immediately send a certified copy of the ordinance to the
 9 commissioner of the department of state revenue.
- 10 (f) If the county fiscal body does not immediately send a certified
 11 copy of the ordinance to the commissioner of the department of state
 12 revenue as required under subsection (e), the department of state
 13 revenue shall treat an increase in the tax rate under this section as
 14 having been adopted on the later of:
- 15 (1) the first day of the month that is not less than thirty (30) days
 16 after the ordinance is sent to the department of state revenue; or
 17 (2) on the effective date specified in the ordinance.
- 18 SECTION 31. IC 6-9-2-2, AS AMENDED BY P.L.81-2019,
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 APRIL 1, 2022]: Sec. 2. (a) The revenue received by the county
 21 treasurer under this chapter shall be allocated to the Lake County
 22 convention and visitor bureau, Indiana University-Northwest, Purdue
 23 University Northwest, municipal public safety departments, municipal
 24 physical and economic development divisions, and the cities and towns
 25 in the county as provided in this section. Subsections (b) through (g) do
 26 not apply to the distribution of revenue received under section 1 of this
 27 chapter from hotels, motels, inns, tourist camps, tourist cabins, and
 28 other lodgings or accommodations built or refurbished after June 30,
 29 1993, that are located in the city of Gary.
- 30 (b) The Lake County convention and visitor bureau shall establish
 31 a convention, tourism, and visitor promotion fund (referred to in this
 32 chapter as the "promotion fund"). The county treasurer shall transfer to
 33 the Lake County convention and visitor bureau for deposit in the
 34 promotion fund thirty-five percent (35%) of the first one million two
 35 hundred thousand dollars (\$1,200,000) of revenue received from the
 36 tax imposed under this chapter in each year. The promotion fund
 37 consists of:
- 38 (1) money in the promotion fund on June 30, 2005;
 39 (2) revenue deposited in the promotion fund under this subsection
 40 after June 30, 2005; and
 41 (3) investment income earned on the promotion fund's assets.
 42 Money in the funds established by the bureau may be expended to



1 promote and encourage conventions, trade shows, special events,
 2 recreation, and visitors. Money may be paid from the funds established
 3 by the bureau, by claim in the same manner as municipalities may pay
 4 claims under IC 5-11-10-1.6.

5 (c) This subsection applies to the first one million two hundred
 6 thousand dollars (\$1,200,000) of revenue received from the tax
 7 imposed under this chapter in each year. During each year, the county
 8 treasurer shall transfer to Indiana University-Northwest forty-four and
 9 thirty-three hundredths percent (44.33%) of the revenue received under
 10 this chapter for that year to be used as follows:

11 (1) Seventy-five percent (75%) of the revenue received under this
 12 subsection may be used only for the university's medical
 13 education programs.

14 (2) Twenty-five percent (25%) of the revenue received under this
 15 subsection may be used only for the university's allied health
 16 education programs.

17 (d) This subsection applies to the first one million two hundred
 18 thousand dollars (\$1,200,000) of revenue received from the tax
 19 imposed under this chapter in each year. During each year, the county
 20 treasurer shall allocate among the cities and towns throughout the
 21 county nine percent (9%) of the revenue received under this chapter for
 22 that year as follows:

23 (1) Ten percent (10%) of the revenue covered by this subsection
 24 shall be distributed to ~~cities having a population of more than~~
 25 ~~eighty thousand (80,000) but less than eighty thousand four~~
 26 ~~hundred (80,400):~~ **the city of Gary.**

27 (2) Ten percent (10%) of the revenue covered by this subsection
 28 shall be distributed to ~~cities having a population of more than~~
 29 ~~eighty thousand five hundred (80,500) but less than one hundred~~
 30 ~~thousand (100,000):~~ **the city of Hammond.**

31 (3) Ten percent (10%) of the revenue covered by this subsection
 32 shall be distributed to ~~cities having a population of more than~~
 33 ~~twenty-nine thousand six hundred (29,600) but less than~~
 34 ~~twenty-nine thousand nine hundred (29,900):~~ **the city of East**
 35 **Chicago.**

36 (4) Seventy percent (70%) of the revenue covered by this
 37 subsection shall be distributed in equal amounts to each town and
 38 each city not receiving a distribution under subdivisions (1)
 39 through (3).

40 The money distributed under this subsection may be used only for
 41 tourism and economic development projects. The county treasurer shall
 42 make the distributions on or before December 1 of each year.



1 (e) This subsection applies to the first one million two hundred
 2 thousand dollars (\$1,200,000) of revenue received from the tax
 3 imposed under this chapter in each year. During each year, the county
 4 treasurer shall transfer to Purdue University Northwest nine percent
 5 (9%) of the revenue received under this chapter for that year. The
 6 money received by Purdue University Northwest may be used by the
 7 university only for nursing education programs.

8 (f) This subsection applies to the first one million two hundred
 9 thousand dollars (\$1,200,000) of revenue received from the tax
 10 imposed under this chapter in each year. During each year, the county
 11 treasurer shall transfer two and sixty-seven hundredths percent (2.67%)
 12 of the revenue received under this chapter for that year to the following
 13 cities:

14 (1) Fifty percent (50%) of the revenue covered by this subsection
 15 shall be transferred to ~~cities having a population of more than~~
 16 ~~eighty thousand (80,000) but less than eighty thousand four~~
 17 ~~hundred (80,400):~~ **the city of Gary.**

18 (2) Fifty percent (50%) of the revenue covered by this subsection
 19 shall be transferred to ~~cities having a population of more than~~
 20 ~~eighty thousand five hundred (80,500) but less than one hundred~~
 21 ~~thousand (100,000):~~ **the city of Hammond.**

22 Money transferred under this subsection may be used only for
 23 convention facilities located within the city. In addition, the money may
 24 be used only for facility marketing, sales, and public relations
 25 programs. Money transferred under this subsection may not be used for
 26 salaries, facility operating costs, or capital expenditures related to the
 27 convention facilities. The county treasurer shall make the transfers on
 28 or before December 1 of each year.

29 (g) This subsection applies to the revenue received from the tax
 30 imposed under this chapter in each year that exceeds one million two
 31 hundred thousand dollars (\$1,200,000). During each year, the county
 32 treasurer shall distribute money in the promotion fund as follows:

33 (1) Eighty-five percent (85%) of the revenue covered by this
 34 subsection shall be deposited in the convention, tourism, and
 35 visitor promotion fund. The money deposited in the fund under
 36 this subdivision may be used only for the purposes for which
 37 other money in the fund may be used.

38 (2) Five percent (5%) of the revenue covered by this subsection
 39 shall be transferred to Purdue University Northwest. The money
 40 received by Purdue University Northwest under this subdivision
 41 may be used by the university only for nursing education
 42 programs.



1 (3) Five percent (5%) of the revenue covered by this subsection
 2 shall be transferred to Indiana University-Northwest. The money
 3 received by Indiana University-Northwest under this subdivision
 4 may be used only for the university's medical education programs.

5 (4) Five percent (5%) of the revenue covered by this subsection
 6 shall be transferred to Indiana University-Northwest. The money
 7 received by Indiana University-Northwest under this subdivision
 8 may be used only for the university's allied health education
 9 programs.

10 (h) This subsection applies only to the distribution of revenue
 11 received from the tax imposed under section 1 of this chapter from
 12 hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or
 13 accommodations built or refurbished after June 30, 1993, that are
 14 located in the city of Gary. During each year, the county treasurer shall
 15 transfer:

16 (1) seventy-five percent (75%) of the revenues under this
 17 subsection to the department of public safety; and

18 (2) twenty-five percent (25%) of the revenues under this
 19 subsection to the division of physical and economic development;
 20 of the city of Gary.

21 (i) The Lake County convention and visitor bureau shall assist the
 22 county treasurer, as needed, with the calculation of the amounts that
 23 must be deposited and transferred under this section.

24 SECTION 32. IC 6-9-4-1, AS AMENDED BY P.L.119-2012,
 25 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 27 population of more than ~~one hundred thirty-five thousand (135,000)~~ but
 28 ~~less than one hundred thirty-eight thousand (138,000):~~ **one hundred**
 29 **thirty-nine thousand (139,000) and less than one hundred sixty**
 30 **thousand (160,000).**

31 SECTION 33. IC 6-9-6-1, AS AMENDED BY P.L.119-2012,
 32 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 34 population of more than ~~one hundred eleven thousand (111,000)~~ but
 35 ~~less than one hundred fifteen thousand (115,000):~~ **one hundred twelve**
 36 **thousand (112,000) and less than one hundred twenty thousand**
 37 **(120,000).**

38 SECTION 34. IC 6-9-7-1, AS AMENDED BY P.L.119-2012,
 39 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 APRIL 1, 2022]: Sec. 1. This chapter applies to a ~~county having a~~
 41 ~~population of more than one hundred seventy thousand (170,000) but~~
 42 ~~less than one hundred seventy-five thousand (175,000):~~ **Tippecanoe**



1 **County.**

2 SECTION 35. IC 6-9-7-7, AS AMENDED BY P.L.122-2021,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 APRIL 1, 2022]: Sec. 7. (a) The county treasurer shall establish an
5 innkeeper's tax fund. The treasurer shall deposit in that fund all money
6 received under section 6 of this chapter that is attributable to an
7 innkeeper's tax rate that is not more than five percent (5%).

8 (b) Money in the innkeeper's tax fund shall be distributed as
9 follows:

10 (1) Forty percent (40%) shall be distributed to the commission to
11 carry out its purposes, including making any distributions or
12 payments to the Lafayette - West Lafayette Convention and
13 Visitors Bureau, Inc.

14 (2) Ten percent (10%) shall be distributed to a community
15 development corporation that serves a metropolitan area in the
16 county that includes:

17 (A) ~~a city having a population of more than sixty-five thousand~~
18 ~~(65,000) but less than seventy thousand (70,000); Lafayette;~~
19 and

20 (B) ~~a city having a population of more than twenty-nine~~
21 ~~thousand five hundred (29,500) but less than twenty-nine~~
22 ~~thousand six hundred (29,600); West Lafayette;~~

23 for the community development corporation's use in tourism,
24 recreation, and economic development activities.

25 (3) Ten percent (10%) shall be distributed to Historic
26 Prophetstown to be used by Historic Prophetstown for carrying
27 out its purposes.

28 (4) Ten percent (10%) shall be distributed to the Wabash River
29 Enhancement Corporation to assist the Wabash River
30 Enhancement Corporation in carrying out its purposes.

31 (5) Ten percent (10%) shall be distributed to the department of
32 natural resources for the development of projects in the state park
33 on the ~~county's largest river;~~ **Wabash River**, including its
34 tributaries.

35 (6) Twenty percent (20%) shall be distributed as determined by
36 the county fiscal body.

37 (c) An advisory commission consisting of the following members is
38 established:

39 (1) The director of the department of natural resources or the
40 director's designee.

41 (2) The public finance director or the public finance director's
42 designee.



- 1 (3) A member appointed by the Native American Indian affairs
 2 commission.
 3 (4) A member appointed by Historic Prophetstown.
 4 (5) A member appointed by the community development
 5 corporation described in subsection (b)(2).
 6 (6) A member appointed by the Wabash River Enhancement
 7 Corporation.
 8 (7) A member appointed by the commission.
 9 (8) A member appointed by the county fiscal body.
 10 (9) A member appointed by the town board of the town of
 11 Battleground.
 12 (10) A member appointed by the mayor of the city of Lafayette.
 13 (11) A member appointed by the mayor of the city of West
 14 Lafayette.
 15 (d) The following apply to the advisory commission:
 16 (1) The governor shall appoint a member of the advisory
 17 commission as chairman of the advisory commission.
 18 (2) Six (6) members of the advisory commission constitute a
 19 quorum. The affirmative votes of at least six (6) advisory
 20 commission members are necessary for the advisory commission
 21 to take official action other than to adjourn or to meet to hear
 22 reports or testimony.
 23 (3) The advisory commission shall make recommendations
 24 concerning the use of any proceeds of bonds issued to finance the
 25 development of Prophetstown State Park.
 26 (4) Members of the advisory commission who are state
 27 employees:
 28 (A) are not entitled to any salary per diem; and
 29 (B) are entitled to reimbursement for traveling expenses as
 30 provided under IC 4-13-1-4 and to reimbursement for other
 31 expenses actually incurred in connection with the member's
 32 duties as provided in the state policies and procedures
 33 established by the Indiana department of administration and
 34 approved by the budget agency.
 35 (e) The Indiana finance authority may issue bonds for the
 36 development of Prophetstown State Park under IC 5-1.2-6.
 37 SECTION 36. IC 6-9-9-1 IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a county
 39 having a population of more than ~~three hundred thousand (300,000)~~ but
 40 ~~less than four hundred thousand (400,000)~~. **three hundred fifty**
 41 **thousand (350,000) and less than four hundred thousand (400,000).**
 42 SECTION 37. IC 6-9-10-1, AS AMENDED BY P.L.119-2012,



1 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
3 population of more than ~~sixty-eight thousand nine hundred (68,900) but~~
4 ~~less than seventy thousand (70,000):~~ **sixty-five thousand (65,000) and**
5 **less than sixty-six thousand six hundred (66,600).**

6 SECTION 38. IC 6-9-10.5-1, AS AMENDED BY P.L.119-2012,
7 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
9 population of more than ~~twenty-four thousand five hundred (24,500)~~
10 ~~but less than twenty-five thousand (25,000):~~ **twenty-four thousand six**
11 **hundred (24,600) and less than twenty-five thousand (25,000).**

12 SECTION 39. IC 6-9-11-1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies
14 to a county having a population of more than ~~one hundred five~~
15 ~~thousand (105,000) but less than one hundred ten thousand (110,000):~~
16 **one hundred thousand (100,000) and less than one hundred ten**
17 **thousand (110,000).**

18 SECTION 40. IC 6-9-14-1, AS AMENDED BY P.L.119-2012,
19 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
21 population of more than ~~fifteen thousand (15,000) but less than fifteen~~
22 ~~thousand five hundred (15,500):~~ **fifteen thousand four hundred fifty**
23 **(15,450) and less than sixteen thousand (16,000).**

24 SECTION 41. IC 6-9-15-1, AS AMENDED BY P.L.119-2012,
25 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
27 population of more than ~~thirty-two thousand (32,000) but less than~~
28 ~~thirty-two thousand five hundred (32,500):~~ **thirty-three thousand one**
29 **hundred (33,100) and less than thirty-three thousand one hundred**
30 **fifty (33,150).**

31 SECTION 42. IC 6-9-17-1, AS AMENDED BY P.L.119-2012,
32 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
34 population of more than ~~one hundred twenty-five thousand (125,000)~~
35 ~~but less than one hundred thirty-five thousand (135,000):~~ **one hundred**
36 **thirty thousand (130,000) and less than one hundred thirty-nine**
37 **thousand (139,000).**

38 SECTION 43. IC 6-9-19-1, AS AMENDED BY P.L.119-2012,
39 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
41 population of more than ~~one hundred eighty-five thousand (185,000)~~
42 ~~but less than two hundred fifty thousand (250,000):~~ **two hundred**



1 **thousand (200,000) and less than two hundred fifty thousand**
 2 **(250,000).**

3 SECTION 44. IC 6-9-20-1, AS AMENDED BY P.L.119-2012,
 4 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 6 population of more than ~~one hundred seventy-five thousand (175,000)~~
 7 ~~but less than one hundred eighty-five thousand (185,000):~~ **one**
 8 **hundred eighty thousand (180,000) and less than one hundred**
 9 **eighty-five thousand (185,000).**

10 SECTION 45. IC 6-9-21-1, AS AMENDED BY P.L.119-2012,
 11 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 13 population of more than ~~one hundred fifteen thousand (115,000) but~~
 14 ~~less than one hundred twenty-five thousand (125,000):~~ **one hundred**
 15 **ten thousand (110,000) and less than one hundred twelve thousand**
 16 **(112,000).**

17 SECTION 46. IC 6-9-25-9.5, AS AMENDED BY P.L.38-2021,
 18 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 APRIL 1, 2022]: Sec. 9.5. (a) This section applies to revenues from the
 20 county food and beverage tax received by the county after June 30,
 21 1994.

22 (b) Money in the fund established under section 8 of this chapter
 23 may be used by the county for the financing, construction, renovation,
 24 improvement, equipping, or maintenance of the following capital
 25 improvements:

- 26 (1) Sanitary sewers or wastewater treatment facilities that serve
 27 economic development purposes.
- 28 (2) Drainage or flood control facilities that serve economic
 29 development purposes.
- 30 (3) Road improvements used on an access road for an industrial
 31 park that serve economic development purposes.
- 32 (4) A covered horse show arena.
- 33 (5) A historic birthplace memorial.
- 34 (6) A historic gymnasium and community center in a town ~~in the~~
 35 ~~county with a population greater than two thousand (2,000) but~~
 36 ~~less than two thousand three hundred (2,300):~~ **having a**
 37 **population of more than two thousand (2,000) and less than**
 38 **two thousand two hundred (2,200) located in a county having**
 39 **a population of more than forty-eight thousand (48,000) and**
 40 **less than fifty thousand (50,000).**
- 41 (7) Main street renovation and picnic and park areas in a town ~~in~~
 42 ~~the county with a population greater than two thousand (2,000)~~



1 but less than two thousand three hundred (~~2,300~~): **having a**
 2 **population of more than two thousand (2,000) and less than**
 3 **two thousand two hundred (2,200) located in a county having**
 4 **a population of more than forty-eight thousand (48,000) and**
 5 **less than fifty thousand (50,000).**

6 (8) A community park, expo center, and cultural center.

7 (9) Projects for which the county decides after July 1, 1994, to:

8 (A) expend money in the fund established under section 8 of
 9 this chapter; or

10 (B) issue bonds or other obligations or enter into leases under
 11 section 11.5 of this chapter;

12 after the projects described in subdivisions (1) through (8) have
 13 been funded.

14 (10) An ambulance.

15 (11) The construction, renovation, improvement, or repair of
 16 county roads.

17 Money in the fund may not be used for the personnel expenses and
 18 other operating costs of any of the permissible projects listed in this
 19 section. In addition, the county may not issue bonds or enter into leases
 20 or other obligations under this chapter after December 31, 2015.
 21 Money pledged to the payment of an obligation entered into under this
 22 subsection may not be used for any other purpose as long as the
 23 obligation remains outstanding.

24 SECTION 47. IC 6-9-26-1, AS AMENDED BY P.L.119-2012,
 25 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
 27 population of more than ~~one hundred twenty-five thousand (125,000)~~
 28 ~~but less than one hundred thirty-five thousand (135,000):~~ **one hundred**
 29 **thirty thousand (130,000) and less than one hundred thirty-nine**
 30 **thousand (139,000).**

31 SECTION 48. IC 6-9-26-12.5, AS AMENDED BY P.L.197-2016,
 32 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 APRIL 1, 2022]: Sec. 12.5. (a) This section applies if there are no
 34 outstanding obligations for which a pledge has been made under
 35 section 15(a) of this chapter concerning uses authorized under section
 36 12 of this chapter.

37 (b) Money deposited in the county economic development project
 38 fund shall be transferred to the following:

39 (1) Forty percent (40%) of the money deposited shall be
 40 transferred to the fiscal officer of a city having a population of
 41 more than ~~fifty-five thousand (55,000) but less than sixty~~
 42 ~~thousand (60,000):~~ **fifty-four thousand (54,000) and less than**



- 1 **fifty-eight thousand (58,000).**
 2 (2) Forty percent (40%) of the money deposited shall be
 3 transferred to the county general fund. Money transferred under
 4 this subdivision shall be used for the following purposes:
 5 (A) The financing, construction, or equipping of a secure
 6 detention facility under IC 31-31-8 or IC 31-6-9-5 (repealed).
 7 (B) All reasonable and necessary architectural, engineering,
 8 legal, financing, accounting, advertising, and supervisory
 9 expenses related to the financing, construction, or equipping
 10 of a facility described in clause (A).
 11 (C) The retiring of any bonds issued, loans obtained, or lease
 12 payments incurred under IC 36-1-10 to finance, construct, or
 13 equip a facility described in clause (A).
 14 (3) Twenty percent (20%) of the money deposited shall be
 15 transferred to the county general fund. Money transferred under
 16 this subdivision shall be used for economic development projects
 17 in locations other than a city described in subdivision (1).
 18 (c) After the retiring of any bonds issued, loans obtained, or lease
 19 payments incurred under IC 36-1-10 to finance, construct, or equip a
 20 secure detention facility under subsection (b)(2), money deposited in
 21 the county economic development project fund shall be transferred to
 22 the following:
 23 (1) Seventy percent (70%) of the money deposited shall be
 24 transferred to the fiscal officer of a city described in subsection
 25 (b)(1).
 26 (2) Thirty percent (30%) of the money deposited shall be
 27 transferred to the county general fund. Money transferred under
 28 this subdivision shall be used for economic development projects
 29 in locations other than a city described in subsection (b)(1).
 30 (d) Money transferred to a city fiscal officer under subsection (b)(1)
 31 or (c)(1) shall be credited to a special account to be known as the city
 32 economic development account. Money credited to the account shall
 33 be used only for those purposes described in IC 6-3.6-10-2 (local
 34 income tax for economic development purposes).
 35 SECTION 49. IC 6-9-27-1, AS AMENDED BY P.L.119-2012,
 36 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 APRIL 1, 2022]: Sec. 1. This chapter applies to the following:
 38 (1) A town
 39 (A) located in a county having a population of more than sixty
 40 thousand (60,000) but less than sixty-eight thousand nine
 41 hundred (68,900); and
 42 (B) having a population of more than nine thousand (9,000):



- 1 **having a population of more than nine thousand (9,000)**
 2 **located in a county having a population of more than**
 3 **seventy-one thousand (71,000) and less than seventy-nine**
 4 **thousand (79,000).**
- 5 (2) A town
- 6 (A) located in a county having a population of more than
 7 thirty-seven thousand one hundred twenty-five (37,125) but
 8 less than thirty-seven thousand five hundred (37,500); and
 9 (B) having a population of less than one thousand (1,000)-
 10 **having a population of less than one thousand (1,000)**
 11 **located in a county having a population of more than forty**
 12 **thousand (40,000) and less than forty-three thousand**
 13 **(43,000).**
- 14 (3) A town
- 15 (A) located in a county having a population of more than one
 16 hundred forty thousand (140,000) but less than one hundred
 17 fifty thousand (150,000); and
 18 (B) having a population of more than twenty-five thousand
 19 (25,000)- **having a population of more than thirty thousand**
 20 **(30,000) located in a county having a population of more**
 21 **than one hundred seventy-four thousand (174,000) and less**
 22 **than one hundred eighty thousand (180,000).**
- 23 (4) A town
- 24 (A) located in a county having a population of more than one
 25 hundred forty thousand (140,000) but less than one hundred
 26 fifty thousand (150,000); and
 27 (B) having a population of more than twenty thousand
 28 (20,000) but less than twenty-five thousand (25,000)- **having**
 29 **a population of more than twenty-five thousand (25,000)**
 30 **and less than thirty thousand (30,000) located in a county**
 31 **having a population of more than one hundred**
 32 **seventy-four thousand (174,000) and less than one hundred**
 33 **eighty thousand (180,000).**
- 34 (5) A town
- 35 (A) located in a county having a population of more than one
 36 hundred forty thousand (140,000) but less than one hundred
 37 fifty thousand (150,000); and
 38 (B) having a population of more than ten thousand (10,000)-
 39 but less than twenty thousand (20,000)- **having a population**
 40 **of more than twenty thousand (20,000) and less than**
 41 **twenty-five thousand (25,000) located in a county having a**
 42 **population of more than one hundred seventy-four**



1 **thousand (174,000) and less than one hundred eighty**
 2 **thousand (180,000).**

3 (6) A city having a population of more than ~~eleven thousand~~
 4 ~~seven hundred (11,700) but less than eleven thousand nine~~
 5 ~~hundred (11,900):~~ **eleven thousand nine hundred (11,900) and**
 6 **less than twelve thousand (12,000).**

7 SECTION 50. IC 6-9-28-1, AS AMENDED BY P.L.119-2012,
 8 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 APRIL 1, 2022]: Sec. 1. This chapter applies only to a county having
 10 a population of more than ~~one hundred forty thousand (140,000) but~~
 11 ~~less than one hundred fifty thousand (150,000):~~ **one hundred**
 12 **seventy-four thousand (174,000) and less than one hundred eighty**
 13 **thousand (180,000).**

14 SECTION 51. IC 6-9-32-1, AS AMENDED BY P.L.119-2012,
 15 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 APRIL 1, 2022]: Sec. 1. (a) This chapter applies to a county having a
 17 population of more than ~~forty-two thousand three hundred (42,300) but~~
 18 ~~less than forty-three thousand (43,000) that~~ **forty-six thousand four**
 19 **hundred (46,400) and less than forty-seven thousand (47,000), if the**
 20 **county had adopted an innkeeper's tax under IC 6-9-18 before July 1,**
 21 **1999.**

22 (b) The:
 23 (1) convention, visitor, and tourism promotion fund;
 24 (2) convention and visitor commission;
 25 (3) innkeeper's tax rate; and
 26 (4) tax collection procedures;
 27 established under IC 6-9-18 before July 1, 1999, remain in effect and
 28 govern the county's innkeeper's tax until amended under this chapter.

29 (c) A member of the convention and visitor commission established
 30 under IC 6-9-18 before July 1, 1999, shall serve a full term of office. If
 31 a vacancy occurs, the appointing authority shall appoint a qualified
 32 replacement as provided under this chapter. The appointing authority
 33 shall make other subsequent appointments to the commission as
 34 provided under this chapter.

35 SECTION 52. IC 6-9-33-1 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies
 37 to a county having a population of more than ~~three hundred thousand~~
 38 ~~(300,000) but less than four hundred thousand (400,000):~~ **three**
 39 **hundred fifty thousand (350,000) and less than four hundred**
 40 **thousand (400,000).**

41 SECTION 53. IC 6-9-36-1, AS AMENDED BY P.L.119-2012,
 42 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 APRIL 1, 2022]: Sec. 1. This chapter applies to the following counties:

2 (1) A county having a population of more than four hundred
3 thousand (400,000) ~~but and~~ less than seven hundred thousand
4 (700,000).

5 (2) A county having a population of more than ~~one hundred fifty~~
6 ~~thousand (150,000) but less than one hundred seventy thousand~~
7 ~~(170,000):~~ **one hundred seventy thousand (170,000) and less**
8 **than one hundred seventy-four thousand (174,000).**

9 SECTION 54. IC 6-9-37-1, AS AMENDED BY P.L.119-2012,
10 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 APRIL 1, 2022]: Sec. 1. (a) This chapter applies to a county having a
12 population of more than ~~one hundred forty thousand (140,000) but less~~
13 ~~than one hundred fifty thousand (150,000) that~~ **one hundred**
14 **seventy-four thousand (174,000) and less than one hundred eighty**
15 **thousand (180,000), if the county** had adopted an innkeeper's tax
16 under IC 6-9-18 before July 1, 2005.

17 (b) The:

18 (1) convention, visitor, and tourism promotion fund;

19 (2) convention and visitor commission;

20 (3) innkeeper's tax rate; and

21 (4) tax collection procedures;

22 established under IC 6-9-18 before July 1, 2005, remain in effect and
23 govern the county's innkeeper's tax until amended under this chapter.

24 (c) A member of the convention and visitor commission established
25 under IC 6-9-18 before July 1, 2005, shall serve a full term of office. If
26 a vacancy occurs, the appointing authority shall appoint a qualified
27 replacement as provided in this chapter. The appointing authority shall
28 make other subsequent appointments to the commission as provided in
29 this chapter.

30 SECTION 55. IC 6-9-38-1, AS AMENDED BY P.L.119-2012,
31 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 APRIL 1, 2022]: Sec. 1. This chapter applies to a county having a
33 population of more than ~~sixty-eight thousand nine hundred (68,900) but~~
34 ~~less than seventy thousand (70,000):~~ **sixty-five thousand (65,000) and**
35 **less than sixty-six thousand six hundred (66,600).**

36 SECTION 56. IC 6-9-53-1, AS ADDED BY P.L.290-2019,
37 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 APRIL 1, 2022]: Sec. 1. (a) This chapter applies to a county having a
39 population of more than ~~thirty-eight thousand two hundred (38,200) but~~
40 ~~less than thirty-eight thousand five hundred (38,500) that~~ **thirty-six**
41 **thousand (36,000) and less than thirty-six thousand five hundred**
42 **(36,500), if the county** had adopted an innkeeper's tax under IC 6-9-18



- 1 before July 1, 2019.
- 2 (b) The:
- 3 (1) convention, visitor, and tourism promotion fund;
- 4 (2) convention and visitor commission;
- 5 (3) innkeeper's tax rate; and
- 6 (4) tax collection procedures;
- 7 established under IC 6-9-18 before July 1, 2019, remain in effect and
- 8 govern the county's innkeeper's tax until amended under this chapter.
- 9 (c) A member of the convention and visitor commission established
- 10 under IC 6-9-18 before July 1, 2019, shall serve a full term of office. If
- 11 a vacancy occurs, the appointing authority shall appoint a qualified
- 12 replacement as provided under this chapter. The appointing authority
- 13 shall make other subsequent appointments to the commission as
- 14 provided under this chapter.
- 15 SECTION 57. IC 7.1-3-20-16, AS AMENDED BY P.L.220-2021,
- 16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 APRIL 1, 2022]: Sec. 16. (a) A permit that is authorized by this section
- 18 may be issued without regard to the quota provisions of IC 7.1-3-22.
- 19 (b) The commission may issue a three-way permit to sell alcoholic
- 20 beverages for on-premises consumption only to an applicant who is the
- 21 proprietor, as owner or lessee, or both, of a restaurant facility in the
- 22 passenger terminal complex of a publicly owned airport. A permit
- 23 issued under this subsection shall not be transferred to a location off
- 24 the airport premises.
- 25 (c) Except as provided in sections 16.3 and 16.4 of this chapter, the
- 26 commission may issue a three-way, two-way, or one-way permit to sell
- 27 alcoholic beverages for on-premises consumption only to an applicant
- 28 who is the proprietor, as owner or lessee, or both, of a restaurant within
- 29 a redevelopment project consisting of a building or group of buildings
- 30 that:
- 31 (1) was formerly used as part of a union railway station;
- 32 (2) has been listed in or is within a district that has been listed in
- 33 the federal National Register of Historic Places maintained
- 34 pursuant to the National Historic Preservation Act of 1966, as
- 35 amended; and
- 36 (3) has been redeveloped or renovated, with the redevelopment or
- 37 renovation being funded in part with grants from the federal,
- 38 state, or local government.
- 39 A permit issued under this subsection shall not be transferred to a
- 40 location outside of the redevelopment project.
- 41 (d) Subject to section 16.1 of this chapter and except as provided in
- 42 section 16.3 of this chapter, the commission may issue a three-way,



1 two-way, or one-way permit to sell alcoholic beverages for on-premises
 2 consumption only to an applicant who is the proprietor, as owner or
 3 lessee, or both, of a restaurant:

- 4 (1) on land; or
 5 (2) in a historic river vessel;

6 within a municipal riverfront development project funded in part with
 7 state and city money. The ownership of a permit issued under this
 8 subsection and the location for which the permit was issued may not be
 9 transferred. The legislative body of the municipality in which the
 10 municipal riverfront development project is located shall recommend
 11 to the commission sites that are eligible to be permit premises. The
 12 commission shall consider, but is not required to follow, the municipal
 13 legislative body's recommendation in issuing a permit under this
 14 subsection. A permit holder and any lessee or proprietor of the permit
 15 premises are subject to the formal written commitment required under
 16 IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if
 17 business operations cease at the permit premises for more than six (6)
 18 months, the permit shall revert to the commission. The permit holder
 19 is not entitled to any refund or other compensation.

20 (e) Except as provided in sections 16.3 and 16.4 of this chapter, the
 21 commission may issue a three-way, two-way, or one-way permit to sell
 22 alcoholic beverages for on-premises consumption only to an applicant
 23 who is the proprietor, as owner or lessee, or both, of a restaurant within
 24 a renovation project consisting of:

- 25 (1) a building that:
 26 (A) was formerly used as part of a passenger and freight
 27 railway station; and
 28 (B) was built before 1900; or
 29 (2) a complex of buildings that:
 30 (A) is part of an economic development area established under
 31 IC 36-7-14; and
 32 (B) includes, as part of the renovation project, the use and
 33 repurposing of two (2) or more buildings and structures that
 34 are:
 35 (i) at least seventy-five (75) years old; and
 36 (ii) located at a site at which manufacturing previously
 37 occurred over a period of at least seventy-five (75) years.

38 The permit authorized by this subsection may be issued without regard
 39 to the proximity provisions of IC 7.1-3-21-11.

40 (f) Except as provided in section 16.3 of this chapter, the
 41 commission may issue a three-way permit for the sale of alcoholic
 42 beverages for on-premises consumption at a cultural center for the



1 visual and performing arts to the following:

2 (1) A town ~~that~~:

3 (A) is located in a county having a population of more than
4 four hundred thousand (400,000) but less than seven hundred
5 thousand (700,000); and

6 (B) has a population of more than twenty thousand (20,000)
7 but less than twenty-three thousand seven hundred (23,700):
8 **having a population of more than twenty-three thousand**
9 **(23,000) and less than twenty-three thousand nine hundred**
10 **(23,900) located in a county having a population of more**
11 **than four hundred thousand (400,000) and less than seven**
12 **hundred thousand (700,000).**

13 (2) A city that has an indoor theater as described in section 26 of
14 this chapter.

15 (g) Except as provided in section 16.3 of this chapter, the
16 commission may issue not more than ten (10) new three-way, two-way,
17 or one-way permits to sell alcoholic beverages for on-premises
18 consumption to applicants, each of whom must be the proprietor, as
19 owner or lessee, or both, of a restaurant located within a district, or not
20 more than seven hundred (700) feet from a district, that meets the
21 following requirements:

22 (1) The district has been listed in the National Register of Historic
23 Places maintained under the National Historic Preservation Act
24 of 1966, as amended.

25 (2) A county courthouse is located within the district.

26 (3) A historic opera house listed on the National Register of
27 Historic Places is located within the district.

28 (4) A historic jail and sheriff's house listed on the National
29 Register of Historic Places is located within the district.

30 The legislative body of the municipality in which the district is located
31 shall recommend to the commission sites that are eligible to be permit
32 premises. The commission shall consider, but is not required to follow,
33 the municipal legislative body's recommendation in issuing a permit
34 under this subsection. An applicant is not eligible for a permit if, less
35 than two (2) years before the date of the application, the applicant sold
36 a retailer's permit that was subject to IC 7.1-3-22 and that was for
37 premises located within the district described in this section or within
38 seven hundred (700) feet of the district. The ownership of a permit
39 issued under this subsection and the location for which the permit was
40 issued shall not be transferred. A permit holder and any lessee or
41 proprietor of the permit premises is subject to the formal written
42 commitment required under IC 7.1-3-19-17. Notwithstanding



1 IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the
 2 permit premises for more than six (6) months, the permit shall revert
 3 to the commission. The permit holder is not entitled to any refund or
 4 other compensation. The total number of active permits issued under
 5 this subsection may not exceed ten (10) at any time. The cost of an
 6 initial permit issued under this subsection is six thousand dollars
 7 (\$6,000).

8 (h) Except as provided in section 16.3 of this chapter, the
 9 commission may issue a three-way permit for the sale of alcoholic
 10 beverages for on-premises consumption to an applicant who will locate
 11 as the proprietor, as owner or lessee, or both, of a restaurant within an
 12 economic development area under IC 36-7-14 in:

13 (1) a town ~~with~~ **having** a population of more than twenty
 14 thousand (20,000); or

15 (2) a city ~~with~~ **having** a population of more than ~~forty-four~~
 16 ~~thousand five hundred (44,500) but less than forty-five thousand~~
 17 ~~(45,000);~~ **forty-nine thousand four hundred (49,400) and less**
 18 **than fifty thousand (50,000);**

19 located in a county having a population of more than ~~one hundred ten~~
 20 ~~thousand (110,000) but less than one hundred eleven thousand~~
 21 ~~(111,000);~~ **one hundred twenty thousand (120,000) and less than**
 22 **one hundred thirty thousand (130,000).** The commission may issue
 23 not more than five (5) licenses under this section to premises within a
 24 municipality described in subdivision (1) and not more than five (5)
 25 licenses to premises within a municipality described in subdivision (2).
 26 The commission shall conduct an auction of the permits under
 27 IC 7.1-3-22-9, except that the auction may be conducted at any time as
 28 determined by the commission. Notwithstanding any other law, the
 29 minimum bid for an initial license under this subsection is thirty-five
 30 thousand dollars (\$35,000), and the renewal fee for a license under this
 31 subsection is one thousand three hundred fifty dollars (\$1,350). Before
 32 the district expires, a permit issued under this subsection may not be
 33 transferred. After the district expires, a permit issued under this
 34 subsection may be renewed, and the ownership of the permit may be
 35 transferred, but the permit may not be transferred from the permit
 36 premises.

37 (i) After June 30, 2006, and except as provided in section 16.3 of
 38 this chapter, the commission may issue not more than five (5) new
 39 three-way, two-way, or one-way permits to sell alcoholic beverages for
 40 on-premises consumption to applicants, each of whom must be the
 41 proprietor, as owner or lessee, or both, of a restaurant located within a
 42 district, or not more than five hundred (500) feet from a district, that



1 meets all of the following requirements:

2 (1) The district is within an economic development area, an area
3 needing redevelopment, or a redevelopment district as established
4 under IC 36-7-14.

5 (2) A unit of the National Park Service is partially located within
6 the district.

7 (3) An international deep water seaport is located within the
8 district.

9 An applicant is not eligible for a permit under this subsection if, less
10 than two (2) years before the date of the application, the applicant sold
11 a retailers' permit that was subject to IC 7.1-3-22 and that was for
12 premises located within the district described in this subsection or
13 within five hundred (500) feet of the district. A permit issued under this
14 subsection may not be transferred. If the commission issues five (5)
15 new permits under this subsection, and a permit issued under this
16 subsection is later revoked or is not renewed, the commission may
17 issue another new permit, as long as the total number of active permits
18 issued under this subsection does not exceed five (5) at any time. The
19 commission shall conduct an auction of the permits under
20 IC 7.1-3-22-9, except that the auction may be conducted at any time as
21 determined by the commission.

22 (j) Subject to section 16.2 of this chapter and except as provided in
23 section 16.3 of this chapter, the commission may issue not more than
24 six (6) new three-way, two-way, or one-way permits to sell alcoholic
25 beverages for on-premises consumption only to an applicant who is the
26 proprietor, as owner or lessee, or both, of a restaurant on land within a
27 municipal lakefront development project. A permit issued under this
28 subsection may not be transferred. If the commission issues six (6) new
29 permits under this subsection, and a permit issued under this subsection
30 is later revoked or is not renewed, the commission may issue another
31 new permit, as long as the total number of active permits issued under
32 this subsection does not exceed six (6) at any time. The commission
33 shall conduct an auction of the permits under IC 7.1-3-22-9, except that
34 the auction may be conducted at any time as determined by the
35 commission. Notwithstanding any other law, the minimum bid for an
36 initial permit under this subsection is ten thousand dollars (\$10,000).

37 (k) Except as provided in section 16.3 of this chapter, the
38 commission may issue not more than nine (9) new three-way permits
39 to sell alcoholic beverages for on-premises consumption to applicants,
40 each of whom must be a proprietor, as owner or lessee, or both, of a
41 restaurant located:

42 (1) within a motorsports investment district (as defined in



1 IC 5-1-17.5-11); or

2 (2) not more than one thousand five hundred (1,500) feet from a
3 motorsports investment district.

4 The ownership of a permit issued under this subsection and the location
5 for which the permit was issued shall not be transferred. If the
6 commission issues nine (9) new permits under this subsection, and a
7 permit issued under this subsection is later revoked or is not renewed,
8 the commission may issue another new permit, as long as the total
9 number of active permits issued under this subsection does not exceed
10 nine (9) at any time. A permit holder and any lessee or proprietor of the
11 permit premises are subject to the formal written commitment required
12 under IC 7.1-3-19-17. Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1,
13 if business operations cease at the permit premises for more than six
14 (6) months, the permit shall revert to the commission. The permit
15 holder is not entitled to any refund or other compensation.

16 (l) Except as provided in section 16.3 of this chapter, the
17 commission may issue not more than two (2) new three-way permits to
18 sell alcoholic beverages for on-premises consumption for premises
19 located within a qualified motorsports facility (as defined in
20 IC 5-1-17.5-14). The ownership of a permit issued under this
21 subsection and the location for which the permit was issued shall not
22 be transferred. If the commission issues two (2) new permits under this
23 subsection, and a permit issued under this subsection is later revoked
24 or is not renewed, the commission may issue another new permit, as
25 long as the total number of active permits issued under this subsection
26 does not exceed two (2) at any time. A permit holder and any lessee or
27 proprietor of the permit premises are subject to the formal written
28 commitment required under IC 7.1-3-19-17. Notwithstanding
29 IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business operations cease at the
30 permit premises for more than six (6) months, the permit shall revert
31 to the commission. The permit holder is not entitled to any refund or
32 other compensation.

33 SECTION 58. IC 8-1-2-103, AS AMENDED BY P.L.136-2018,
34 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 APRIL 1, 2022]: Sec. 103. (a) No public utility, or agent or officer of
36 a public utility, or officer of any municipality constituting a public
37 utility, as defined in this chapter, may charge, demand, collect, or
38 receive from any person a greater or less compensation for any service
39 rendered or to be rendered, or for any service in connection with any
40 service rendered or to be rendered, than that prescribed in the
41 published schedules or tariffs then in force or established as provided
42 in this chapter, or than it charges, demands, collects, or receives from



1 any other person for a like and contemporaneous service. A person who
2 recklessly violates this subsection commits a Class A misdemeanor.

3 (b) Notwithstanding subsection (a), if a city of less than twenty
4 thousand (20,000) in population according to the most recent federal
5 decennial census, constituting a public water utility, and acting as a
6 public utility prior to May 1, 1913, either as such city, or by any
7 commercial association, chamber of commerce, or committee with the
8 consent of such city, entered into any agreement with any person
9 engaged in manufacturing any articles of commerce to furnish free
10 water for a certain limited time as an inducement to such person so
11 engaged in manufacturing to locate the establishment or manufacturing
12 plant of such person within such city, such city may carry out such
13 agreement to furnish free water to such person for the period of time
14 remaining, as stipulated in such contract. This chapter does not prohibit
15 any public utility from supplying or furnishing free service or service
16 at special rates to any municipality, or any institution or agency of such
17 municipality, in cases where the supplying or furnishing of such free
18 service or service at special rates is stipulated in any provision of the
19 franchise under which such public utility was operating before May 16,
20 1919, or, in the event that such franchise shall have been surrendered,
21 from supplying or furnishing such free service or service at special
22 rates until such time as the franchise would have expired had it not
23 been surrendered under this chapter; and it shall be the duty of any
24 utility operating under any franchise, stipulating for free service or
25 service at special rates to the municipality, or any institution or agency
26 of such municipality, to furnish such free service or service at special
27 rates.

28 (c) This subsection applies to a public utility that provides water for
29 public fire protection services in both a county containing a
30 consolidated city and in portions of counties that are adjacent to the
31 county containing a consolidated city. This subsection applies
32 throughout the territory served by the public utility. In the case of a
33 public utility furnishing water and beginning on January 1, 1994, the
34 charges for the production, storage, transmission, sale and delivery, or
35 furnishing of water for public fire protection purposes shall be included
36 in the basic rates of the customers of the public utility. However, the
37 construction cost of any fire hydrant installed after December 31, 1993,
38 at the request of a municipality, township, county, or other
39 governmental unit shall be paid for by or on behalf of the municipality,
40 township, county, or other governmental unit. The change in the
41 recovery of current revenue authorized by this section shall be reflected
42 in a new schedule of rates to be filed with the commission at least thirty



- 1 (30) days before the time the new schedule of rates is to take effect.
 2 The new schedule of rates shall:
 3 (1) eliminate fire protection charges billed directly to
 4 governmental units, other than charges for the construction cost
 5 for new hydrants installed after December 31, 1993; and
 6 (2) increase the rates charged each customer of the utility, based
 7 on equivalent meter size, by an amount equal to:
 8 (A) the revenues lost from the elimination of such fire
 9 protection charges; divided by
 10 (B) the current number of equivalent five-eighths (5/8) inch
 11 meters.

12 This change in the recovery of public fire protection costs shall not be
 13 considered to be a general increase in basic rates and charges of the
 14 public utility and is not subject to the notice and hearing requirements
 15 applicable to general rate proceedings. The commission shall approve
 16 the new schedule of rates that are to be effective January 1, 1994.

17 (d) This subsection applies to a public utility or a municipally
 18 owned water utility that is not subject to subsection (c). Except as
 19 provided in subsection (e), in the case of a public utility or municipally
 20 owned water utility furnishing water, if the governing body of any
 21 municipality within the service area of the utility adopts an ordinance
 22 providing that costs shall be recovered under this subsection, the
 23 charges for the production, storage, transmission, sale and delivery, or
 24 furnishing of water for public fire protection purposes shall be included
 25 in the basic rates of all customers of the utility within the municipality.
 26 However, on or after a date specified in the ordinance, the construction
 27 cost of any fire hydrant installed at the request of a municipality,
 28 township, county, or other governmental unit that adopts an ordinance
 29 under this subsection shall be paid for by or on behalf of the
 30 municipality, township, county, or other governmental unit. The change
 31 in the recovery of current revenue authorized by the ordinance shall be
 32 reflected in a new schedule of rates to be filed with the commission at
 33 least thirty (30) days before the time the new schedule of rates is to take
 34 effect. The new schedule of rates shall:

- 35 (1) eliminate fire protection charges billed directly to
 36 governmental units, other than charges for the construction cost
 37 for new hydrants installed on and after the date specified in the
 38 ordinance; and
 39 (2) increase the rates charged each customer of the utility, based
 40 on equivalent meter size, by an amount equal to:
 41 (A) the revenues lost from the elimination of such fire
 42 protection charges; divided by



1 (B) the current number of equivalent five-eighths (5/8) inch
2 meters.

3 This change in the recovery of public fire protection costs shall not be
4 considered to be a general increase in basic rates and charges of the
5 utility and is not subject to the notice and hearing requirements
6 applicable to general rate proceedings. The commission shall approve
7 the new schedule of rates that are to be effective on a date specified in
8 the ordinance.

9 (e) This subsection applies to a municipally owned water utility in
10 a city having a population of more than ~~fifty thousand (50,000)~~ but less
11 than ~~fifty-one thousand (51,000)~~; **fifty-three thousand (53,000) and**
12 **less than fifty-four thousand (54,000)**. The city may adopt a plan to
13 recover costs as described in subsection (d) without passing an
14 ordinance, if the plan applies only to customers of the utility residing
15 in a county having a population of more than ~~two hundred fifty~~
16 ~~thousand (250,000)~~ but less than ~~two hundred seventy thousand~~
17 ~~(270,000)~~; **two hundred fifty thousand (250,000) and less than three**
18 **hundred thousand (300,000)**. If the city wishes to adopt such a plan,
19 the city shall file a new schedule of rates with the commission, but is
20 not subject to commission approval of the rates.

21 (f) In the case of a change in the method of recovering public fire
22 protection costs under an ordinance adopted under subsection (d):

23 (1) on or after July 1, 1997, a customer of the utility located
24 outside the limits of a municipality whose property is not located
25 within one thousand (1,000) feet of a fire hydrant (measured from
26 the hydrant to the nearest point on the property line of the
27 customer) must be excluded from the increase in rates attributable
28 to the change and must not be included in the number of
29 equivalent five-eighths (5/8) inch meters for purposes of
30 subsection (d)(2)(B); or

31 (2) before July 1, 1997, the commission may:

32 (A) in the context of a general rate proceeding initiated by the
33 utility; or

34 (B) upon petition of:

35 (i) the utility;

36 (ii) the governmental unit that passed the ordinance; or

37 (iii) an affected customer;

38 prospectively exclude public fire protection costs from the rates
39 charged to customers located outside the limits of any
40 municipality whose property is not located within one thousand
41 (1,000) feet of a fire hydrant (measured from the hydrant to the
42 nearest point on the property line of the customer) if the



- 1 commission authorizes a simultaneous increase in the rates of the
 2 utility's other customers to the extent necessary to prevent a loss
 3 of revenues to the utility.
- 4 An increase in the rates of the utility's other customers under
 5 subdivision (2) may not be construed to be a general increase in basic
 6 rates and charges of the utility and is not subject to the hearing
 7 requirements applicable to general rate proceedings. This subsection
 8 does not prohibit the commission from adopting different methods of
 9 public fire protection cost recovery for unincorporated areas after
 10 notice and hearing within the context of a general rate proceeding or
 11 other appropriate proceeding.
- 12 SECTION 59. IC 8-1-2.7-9, AS AMENDED BY P.L.119-2012,
 13 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 APRIL 1, 2022]: Sec. 9. (a) Except as provided under subsection (c) or
 15 section 15 of this chapter, when a utility successfully withdraws from
 16 commission jurisdiction, the commission does not have authority to
 17 regulate the following:
- 18 (1) Rates and charges.
 - 19 (2) Stocks, bonds, notes, or other evidence of indebtedness.
 - 20 (3) Rules.
 - 21 (4) The annual report filing requirement.
- 22 (b) When the number of patrons served by a withdrawn utility
 23 described in section 1.3(a)(1)(A) or 1.3(a)(2)(A) of this chapter reaches
 24 five thousand (5,000), the utility:
- 25 (1) becomes subject to the annual report filing requirement
 26 described in IC 8-1-2-16; and
 - 27 (2) shall immediately notify the commission of the number of
 28 patrons served by the utility.
- 29 Upon receiving notice under subdivision (2), the commission may
 30 reassert jurisdiction over the utility, in whole or in part, after notice and
 31 hearing if the commission finds that the public interest so requires.
- 32 (c) As used in this subsection, "utility" refers to a utility described
 33 in section 1.3(a)(1)(B) of this chapter that is located in a county having
 34 a population of more than ~~sixteen thousand (16,000)~~ but less than
 35 ~~seventeen thousand (17,000)~~: **fifteen thousand four hundred (15,400)**
 36 **and less than fifteen thousand four hundred fifty (15,450)**. When
 37 one (1) utility has successfully withdrawn from commission
 38 jurisdiction under this chapter, upon the filing of a complaint by
 39 another utility that has not withdrawn from commission jurisdiction
 40 under this chapter, the commission shall reassert jurisdiction over the
 41 withdrawn utility with respect to the withdrawn utility's:
- 42 (1) rates and charges;



1 (2) rules; and
 2 (3) operating and territorial authority;
 3 that have been or may be established concerning the purchase of water
 4 for resale by the complaining utility from the withdrawn utility. The
 5 rates and charges described in subdivision (1) are subject to the
 6 requirements of IC 8-1-2-125. The burden of proof that the rates and
 7 charges described in subdivision (1) comply with IC 8-1-2-125 is on
 8 the withdrawn utility.

9 SECTION 60. IC 8-1.5-4-3, AS AMENDED BY P.L.119-2012,
 10 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 APRIL 1, 2022]: Sec. 3. The department of waterworks has jurisdiction
 12 over a special taxing district (referred to as "the waterworks district" in
 13 this chapter) that consists of:

14 (1) in the case of a second class city located in a county having a
 15 population of more than ~~one hundred seventy-five thousand~~
 16 ~~(175,000)~~ but less than ~~one hundred eighty-five thousand~~
 17 ~~(185,000)~~; **one hundred eighty thousand (180,000) and less**
 18 **than one hundred eighty-five thousand (185,000)**, all the
 19 territory within that county; or
 20 (2) in the case of any other municipality, all the territory within
 21 the corporate boundaries of the municipality, or the territory
 22 served by the waterworks if larger or smaller than the corporate
 23 boundaries.

24 SECTION 61. IC 8-1.5-4-14, AS AMENDED BY P.L.119-2012,
 25 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 APRIL 1, 2022]: Sec. 14. (a) This subsection applies to a municipality
 27 that is not subject to IC 8-1-2-103(c) or has not adopted an ordinance
 28 to become subject to IC 8-1-2-103(d). The reasonable cost and value
 29 of any service rendered to the municipality by the waterworks by
 30 furnishing water for public purposes or by maintaining hydrants and
 31 other facilities for fire protection shall be:

32 (1) charged against the municipality; and
 33 (2) paid for in monthly installments as the service accrues out of
 34 the current revenues of the municipality, collected or in process
 35 of collection, and the tax levy of the municipality made by it to
 36 raise money to meet its necessary current expenses.

37 (b) This subsection applies to a municipality that is subject to
 38 IC 8-1-2-103(c), that has adopted an ordinance to become subject to
 39 IC 8-1-2-103(d), or that has adopted a plan described in
 40 IC 8-1-2-103(d) as prescribed in IC 8-1-2-103(e). The reasonable cost
 41 and value of any service rendered to the municipality by the
 42 waterworks by furnishing water for public purposes shall be:



- 1 (1) charged against the municipality; and
 2 (2) paid for in monthly installments as the service accrues out of
 3 the current revenues of the municipality, collected or in process
 4 of collection, and the tax levy of the municipality made by it to
 5 raise money to meet its necessary current expenses.

6 Except as provided in subsection (d), the cost and value of maintaining
 7 hydrants and other facilities for fire protection shall be excluded from
 8 the charges against the municipality and shall be recovered from the
 9 other customers of the waterworks beginning on January 1, 1994, in a
 10 municipality subject to IC 8-1-2-103(c) and beginning on a date
 11 provided in the ordinance for a municipality that adopts an ordinance
 12 under IC 8-1-2-103(d). The change in the recovery of current revenue
 13 authorized by this section shall be reflected in a schedule of new rates
 14 to be filed with the commission at least thirty (30) days before the time
 15 the schedule of new rates is to take effect.

16 (c) The compensation for the service provided to the municipality
 17 shall, in the manner prescribed by this chapter, be paid into the separate
 18 and special fund created by setting aside the income and revenues of
 19 the waterworks and is subject to apportionment to the operating,
 20 maintenance, depreciation, and bond and interest redemption accounts.

21 (d) This subsection applies to a city having a population of more
 22 than ~~forty-seven thousand (47,000)~~ but less than ~~forty-nine thousand~~
 23 ~~(49,000):~~ **fifty-one thousand (51,000) and less than fifty-three**
 24 **thousand (53,000)**. The cost and value of maintaining hydrants and
 25 other facilities for fire protection may be recovered from customers of
 26 the waterworks residing in either of the following, beginning on a date
 27 determined by the city:

28 (1) In a county having a population of more than ~~two hundred~~
 29 ~~fifty thousand (250,000)~~ but less than ~~two hundred seventy~~
 30 ~~thousand (270,000):~~ **two hundred fifty thousand (250,000) and**
 31 **less than three hundred thousand (300,000).**

32 (2) In a township having a population of more than ~~nine thousand~~
 33 ~~(9,000)~~ but less than ~~nine thousand five hundred (9,500)~~ located
 34 in a county having a population of more than ~~one hundred~~
 35 ~~eighty-five thousand (185,000)~~ but less than ~~two hundred fifty~~
 36 ~~thousand (250,000):~~ **nine thousand (9,000) and less than ten**
 37 **thousand (10,000) located in a county having a population of**
 38 **more than two hundred thousand (200,000) and less than two**
 39 **hundred fifty thousand (250,000).**

40 The city shall file a new schedule of rates with the commission as set
 41 forth in subsection (b), but is not subject to commission approval of the
 42 rates.



1 SECTION 62. IC 8-9.5-7-1, AS AMENDED BY P.L.119-2012,
 2 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 APRIL 1, 2022]: Sec. 1. (a) The following may create, by an ordinance
 4 adopted by its legislative body, an automated transit district:

5 (1) A consolidated city.

6 (2) A city having a population of more than one hundred thousand
 7 (100,000) ~~but~~ **and** less than one hundred ten thousand (110,000).

8 The ordinance creating an automated transit district must specify the
 9 territory to be included initially in the district.

10 (b) An automated transit district may also be created by the
 11 procedures provided in sections 2 and 3 of this chapter.

12 SECTION 63. IC 8-10-5-5, AS AMENDED BY P.L.119-2012,
 13 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 APRIL 1, 2022]: Sec. 5. (a) A port authority created in accordance with
 15 the provisions of this chapter shall be governed by a board of directors.
 16 Except as provided in subsection (c), members of a board of directors
 17 of a port authority created by the exclusive action of a municipal
 18 corporation shall consist of the number of members it deems necessary
 19 and be appointed by the mayor with the advice and consent of the
 20 common council. Members of a board of directors of a port authority
 21 created by the exclusive action of a county shall consist of such
 22 members as it deems necessary and be appointed by the county
 23 commissioners of such county. Members of a board of directors of a
 24 port authority created by a combination of political subdivisions shall
 25 be divided among such political subdivisions in such proportions as
 26 such political subdivisions may agree and appointed in the same
 27 manner as this section provides for their appointment when such
 28 political subdivision creates its own port authority. When a port
 29 authority is created by a combination of political subdivisions, the
 30 number of directors composing the board shall be determined by
 31 agreement between such political subdivisions.

32 (b) In the case of a port authority created under section 2 of this
 33 chapter in a county having a population of more than four hundred
 34 thousand (400,000) ~~but~~ **and** less than seven hundred thousand
 35 (700,000), the board of directors shall consist of seven (7) members,
 36 three (3) of whom shall be appointed by the board of county
 37 commissioners, one (1) each by the mayors of the three (3) cities in the
 38 county having the largest populations, and the mayor of the city having
 39 the largest population shall appoint any remaining member or
 40 members. The board shall be appointed as follows:

41 (1) The mayors of the three (3) cities in the county having the
 42 largest populations shall each make one (1) appointment.



- 1 (2) The board of county commissioners shall make its three (3)
 2 appointments following the naming of the city appointees and
 3 appoint persons of such political faith as to make the board of
 4 directors a bipartisan body.
- 5 (3) If a city is entitled to a second appointment, the mayor shall
 6 make the appointment subject to retaining the board's bipartisan
 7 status.
- 8 (4) In no event may more than three (3) board members residing
 9 in the same city serve on ~~said the~~ board at the same time.
- 10 (5) ~~In no event may~~ **Not** more than four (4) members of one (1)
 11 political party **may** serve on the board at the same time.
- 12 (c) This subsection applies to a port authority created under section
 13 2 of this chapter by the exclusive action of a municipal corporation in
 14 a city having a population of more than ~~eighty thousand five hundred~~
 15 ~~(80,500) but less than one hundred thousand (100,000):~~ **seventy-five**
 16 **thousand (75,000) and less than seventy-nine thousand (79,000).**
 17 The board of directors of the port authority consists of five (5)
 18 members appointed as follows:
- 19 (1) Three (3) members appointed by the mayor of the city.
- 20 (2) Two (2) members appointed by the legislative body of the city.
- 21 (d) The appointing authority may at any time remove a director
 22 appointed by it for misfeasance, nonfeasance, or malfeasance in office.
- 23 (e) At the time of appointment, a director must be a resident of one
 24 (1) of the following:
- 25 (1) The political subdivision from which the director is appointed.
- 26 (2) The county within which the port authority is established.
- 27 At all times, a majority of the directors must be residents of the
 28 political subdivisions from which the members are appointed.
- 29 (f) The directors of any port authority first appointed shall serve
 30 staggered terms. Thereafter each successor shall serve for a term of
 31 four (4) years, except that any person appointed to fill a vacancy shall
 32 be appointed to only the unexpired term and any director shall be
 33 eligible for reappointment.
- 34 (g) The directors shall elect one (1) of their membership as
 35 chairman, and another as vice chairman, and shall designate their terms
 36 of office, and shall appoint a secretary who need not be a director. A
 37 majority of the board of directors shall constitute a quorum the
 38 affirmative vote of which shall be necessary for any action taken by the
 39 port authority. No vacancy in the membership of the board shall impair
 40 the rights of a quorum to exercise all the rights and perform all the
 41 duties of the port authority.
- 42 (h) Each member of the board of directors of a port authority shall



1 be entitled to receive from the port authority such sum of money as the
 2 board of directors may determine as compensation for the member's
 3 service as director and reimbursement for the member's reasonable
 4 expenses in the performance of the member's duties.

5 SECTION 64. IC 8-10-5-8.5, AS AMENDED BY P.L.119-2012,
 6 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 APRIL 1, 2022]: Sec. 8.5. Port authorities created in a county having
 8 a population of more than four hundred thousand (400,000) **but and**
 9 less than seven hundred thousand (700,000), shall have all the powers
 10 of port authorities provided under section 8 of this chapter except the
 11 power to exercise eminent domain as provided in section 8(a)(7) of this
 12 chapter in any city having a population of:

- 13 (1) more than ~~eighty thousand five hundred (80,500)~~ **but less than**
 14 **one hundred thousand (100,000); seventy-five thousand (75,000)**
 15 **and less than seventy-nine thousand (79,000); or**
 16 (2) more than ~~twenty-nine thousand six hundred (29,600)~~ **but less**
 17 **than twenty-nine thousand nine hundred (29,900): twenty-six**
 18 **thousand (26,000) and less than twenty-eight thousand**
 19 **(28,000).**

20 SECTION 65. IC 8-10-9-1, AS AMENDED BY P.L.119-2012,
 21 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 APRIL 1, 2022]: Sec. 1. This chapter applies to a city having a
 23 population of more than ~~twenty-nine thousand six hundred (29,600)~~ **but**
 24 **less than twenty-nine thousand nine hundred (29,900): twenty-six**
 25 **thousand (26,000) and less than twenty-eight thousand (28,000).**

26 SECTION 66. IC 8-14-8-3, AS AMENDED BY P.L.119-2012,
 27 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 APRIL 1, 2022]: Sec. 3. For purposes of this chapter, "qualified
 29 county" means a county having a population of: **refers to any of the**
 30 **following counties:**

- 31 (1) ~~more than fifty-seven thousand (57,000)~~ **but less than sixty**
 32 **thousand (60,000); A county having a population of more than**
 33 **sixty thousand (60,000) and less than sixty-five thousand**
 34 **(65,000).**
 35 (2) ~~more than forty thousand (40,000)~~ **but less than forty-two**
 36 **thousand (42,000); A county having a population of more than**
 37 **forty-three thousand five hundred (43,500) and less than**
 38 **forty-five thousand (45,000).**
 39 (3) ~~more than thirty-three thousand five hundred (33,500)~~ **but less**
 40 **than thirty-four thousand (34,000); A county having a**
 41 **population of more than thirty-three thousand (33,000) and**
 42 **less than thirty-three thousand one hundred (33,100).**



- 1 (4) more than thirty thousand (30,000) but less than thirty-two
 2 thousand (32,000); **A county having a population of more than**
 3 **thirty-three thousand three hundred (33,300) and less than**
 4 **thirty-four thousand (34,000).**
 5 (5) more than twenty-five thousand eight hundred (25,800) but
 6 less than twenty-six thousand (26,000); **A county having a**
 7 **population of more than twenty-five thousand (25,000) and**
 8 **less than twenty-six thousand (26,000).**
 9 (6) more than eighteen thousand (18,000) but less than nineteen
 10 thousand five hundred (19,500); **A county having a population**
 11 **of more than nineteen thousand (19,000) and less than**
 12 **nineteen thousand eight hundred (19,800).**
 13 (7) more than twenty thousand nine hundred (20,900) but less
 14 than twenty-one thousand (21,000); **A county having a**
 15 **population of more than nineteen thousand eight hundred**
 16 **(19,800) and less than nineteen thousand eight hundred fifty**
 17 **(19,850).**
 18 (8) more than twelve thousand eight hundred (12,800) but less
 19 than thirteen thousand (13,000); **A county having a population**
 20 **of more than twelve thousand two hundred (12,200) and less**
 21 **than twelve thousand five hundred (12,500).**
 22 (9) more than ten thousand (10,000) but less than ten thousand
 23 five hundred (10,500); **or A county having a population of more**
 24 **than nine thousand eight hundred (9,800) and less than ten**
 25 **thousand (10,000).**
 26 (10) more than ten thousand seven hundred (10,700) but less than
 27 twelve thousand (12,000); **A county having a population of**
 28 **more than ten thousand (10,000) and less than twelve**
 29 **thousand (12,000).**
 30 SECTION 67. IC 8-14-16-1, AS AMENDED BY P.L.119-2012,
 31 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 APRIL 1, 2022]: Sec. 1. This chapter applies only to the following
 33 counties:
 34 (1) A county having a population of more than ~~thirty-four~~
 35 ~~thousand (34,000) but less than thirty-four thousand three~~
 36 ~~hundred (34,300): **thirty-four thousand four hundred (34,400)**~~
 37 ~~and less than thirty-five thousand (35,000).~~
 38 (2) A county having a population of more than ~~thirty-seven~~
 39 ~~thousand one hundred twenty-five (37,125) but less than~~
 40 ~~thirty-seven thousand five hundred (37,500): **forty thousand**~~
 41 ~~(40,000) and less than forty-three thousand (43,000).~~
 42 (3) A county having a population of more than ~~one hundred~~



1 eleven thousand (111,000) but less than one hundred fifteen
 2 thousand (115,000): **one hundred twelve thousand (112,000)**
 3 **and less than one hundred twenty thousand (120,000).**

4 (4) A county having a population of more than one hundred
 5 eighty-five thousand (185,000) but less than two hundred fifty
 6 thousand (250,000): **two hundred thousand (200,000) and less**
 7 **than two hundred fifty thousand (250,000).**

8 (5) A county having a population of more than two hundred fifty
 9 thousand (250,000) but less than two hundred seventy thousand
 10 (270,000): **two hundred fifty thousand (250,000) and less than**
 11 **three hundred thousand (300,000).**

12 (6) A county having a population of more than one hundred fifty
 13 thousand (150,000) but less than one hundred seventy thousand
 14 (170,000): **one hundred seventy thousand (170,000) and less**
 15 **than one hundred seventy-four thousand (174,000).**

16 (7) A county having a population of more than four hundred
 17 thousand (400,000) ~~but~~ **and** less than seven hundred thousand
 18 (700,000).

19 SECTION 68. IC 8-15.5-1-2, AS AMENDED BY P.L.165-2021,
 20 SECTION 129, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) This article contains full and
 22 complete authority for public-private agreements between the authority,
 23 a private entity, and, where applicable, a governmental entity. Except
 24 as provided in this article, no law, procedure, proceeding, publication,
 25 notice, consent, approval, order, or act by the authority or any other
 26 officer, department, agency, or instrumentality of the state or any
 27 political subdivision is required for the authority to enter into a
 28 public-private agreement with a private entity under this article, or for
 29 a project that is the subject of a public-private agreement to be
 30 constructed, acquired, maintained, repaired, operated, financed,
 31 transferred, or conveyed.

32 (b) Before the authority or the department may issue a request for
 33 proposals for or enter into a public-private agreement under this article
 34 that would authorize an operator to impose user fees for the operation
 35 of motor vehicles on all or part of a toll road project, the general
 36 assembly must adopt a statute authorizing the imposition of user fees.
 37 However, during the period beginning July 1, 2011, and ending June
 38 30, 2023, the general assembly is not required to enact a statute
 39 authorizing the authority or the department to issue a request for
 40 proposals or enter into a public-private agreement to authorize an
 41 operator to impose user fees for the operation of motor vehicles on all
 42 or part of the following projects:

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- 1 (1) A project on which construction begins after June 30, 2011,
 2 not including any part of Interstate Highway 69 other than a part
 3 described in subdivision (4).
 4 (2) The addition of toll lanes, including high occupancy toll lanes,
 5 to a highway, roadway, or other facility in existence on July 1,
 6 2011, if the number of nontolled lanes on the highway, roadway,
 7 or facility as of July 1, 2011, does not decrease due to the addition
 8 of the toll lanes.
 9 (3) The Illiana Expressway, a limited access facility connecting
 10 Interstate Highway 65 in northwestern Indiana with an interstate
 11 highway in Illinois.
 12 (4) A project that is located within a metropolitan planning area
 13 (as defined by 23 U.S.C. 134) and that connects the state of
 14 Indiana with the commonwealth of Kentucky.

15 However, neither the authority nor the department may issue a request
 16 for proposals for a public-private agreement under this article that
 17 would authorize an operator to impose user fees unless the budget
 18 committee has reviewed the request for proposals.

19 (c) Except as provided in subsection (b), before the authority or an
 20 operator may carry out any of the following activities under this article,
 21 the general assembly must enact a statute authorizing that activity:

- 22 (1) Imposing user fees on motor vehicles for use of Interstate
 23 Highway 69.
 24 (2) Imposing user fees on motor vehicles for use of a nontolled
 25 highway, roadway, or other facility in existence or under
 26 construction on July 1, 2011, including nontolled interstate
 27 highways, U.S. routes, and state routes.

28 (d) The general assembly is not required to enact a statute
 29 authorizing the authority or the department to issue a request for
 30 proposals or enter into a public-private agreement for a freeway
 31 project.

32 (e) The authority may enter into a public-private agreement for a
 33 facility project if the general assembly, by statute, authorizes the
 34 authority to enter into a public-private agreement for the facility
 35 project.

36 (f) As permitted by subsection (e), the general assembly authorizes
 37 the authority to enter into public-private agreements for a state park inn
 38 and related improvements ~~in an existing state park located in a county~~
 39 ~~with a population of more than two hundred thousand (200,000) and~~
 40 ~~less than three hundred thousand (300,000):~~ **at Potato Creek State**
 41 **Park.**

42 SECTION 69. IC 8-15.5-2-3.2, AS AMENDED BY P.L.9-2020,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 3.2. "Facility project" means a project to plan,
3 design, acquire, construct, reconstruct, equip, improve, extend, expand,
4 lease, operate, repair, manage, maintain, or finance a state park inn and
5 related improvements ~~in an existing state park located in a county with~~
6 ~~a population of more than two hundred thousand (200,000) and less~~
7 ~~than three hundred thousand (300,000) at Potato Creek State Park~~
8 that is or will be owned by or leased in the name of the state or the
9 authority and is the subject of a public-private agreement under this
10 article.

11 SECTION 70. IC 8-22-2-1, AS AMENDED BY P.L.119-2012,
12 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 APRIL 1, 2022]: Sec. 1. (a) Whenever the fiscal body of an eligible
14 entity adopts an ordinance or a resolution in favor of the acquisition,
15 improvement, operation, or maintenance of an airport or landing field
16 for the entity under this chapter, and declaring a necessity for the
17 airport or landing field, then on the effective date of the ordinance or
18 resolution, there is established as an executive department of the entity
19 a department of aviation, under the control of a board to be known as
20 the board of aviation commissioners.

21 (b) The following apply to a board of aviation commissioners
22 established under this chapter:

23 (1) Except as provided in subsections (e), (f), and (g), the board
24 consists of four (4) members.

25 (2) Except as provided in subsection (e), the executive of the
26 entity shall appoint the members of the board.

27 (3) Except as provided in subsections (f) and (g), not more than
28 two (2) of the members of the board may be of the same political
29 party.

30 (c) The fiscal body of the entity may provide a per diem for the
31 members of the board in any amount not exceeding thirty-five dollars
32 (\$35) for each whole or part day a member is engaged in board
33 activities. The members of the board shall also be paid their actual
34 expenses, which may include the expenses of the members or
35 employees of the board in attending meetings or conventions held to
36 discuss aviation matters.

37 (d) Before beginning the duties of office, each board member shall
38 take and subscribe the usual oath of office, to be endorsed upon the
39 certificate of appointment, and shall cause that to be filed with the clerk
40 or other officer performing duties similar to that of clerk in the entity.
41 Any person who does not file the oath with the clerk or other officer
42 performing duties similar to that of the clerk within thirty (30) days



1 after the beginning of the term for which the person has been
 2 appointed, or at the date of the person's appointment, if appointed after
 3 the beginning of the term, is considered to have refused to serve and
 4 the office becomes vacant.

5 (e) Notwithstanding subsection (b), if a county having a population
 6 of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two~~
 7 ~~hundred seventy thousand (270,000)~~ **two hundred fifty thousand**
 8 **(250,000) and less than three hundred thousand (300,000)** has
 9 established a board, the county council and the mayors of the two (2)
 10 cities in the county having the largest populations may each appoint
 11 one (1) additional member to the board, thereby creating a board
 12 consisting of a total of seven (7) members. The three (3) additional
 13 members serve in the same manner, are accorded the same status, and
 14 perform the same duties as the four (4) initial board members, and
 15 serve terms of four (4) years. If either the county council or either of
 16 the two (2) mayors fails to make appointments to the board, that fact
 17 does not prejudice appointments that may be made by the other
 18 appointing authority or authorities.

19 (f) This subsection applies to the following:

20 (1) A county having a population of more than ~~one hundred ten~~
 21 ~~thousand (110,000)~~ but less than ~~one hundred eleven thousand~~
 22 ~~(111,000)~~ **one hundred twenty thousand (120,000) and less**
 23 **than one hundred thirty thousand (130,000).**

24 (2) A county having a population of more than ~~thirty-seven~~
 25 ~~thousand five hundred (37,500)~~ but less than ~~thirty-eight thousand~~
 26 ~~(38,000)~~ **thirty-six thousand seven hundred (36,700) and less**
 27 **than thirty-seven thousand (37,000).**

28 Notwithstanding subsection (b), if a county has established a board
 29 under this chapter, the county executive may add one (1) additional
 30 member to the board so that the board has a total of five (5) members.
 31 Not more than three (3) of the five (5) members of the board may be of
 32 the same political party. The one (1) additional member shall serve in
 33 the same manner, be accorded the same status, and perform the same
 34 duties as the four (4) initial members, and serve a four (4) year term.

35 (g) This subsection does not apply to a board subject to subsection
 36 (e) or (f). Notwithstanding subsection (b), the fiscal body of an eligible
 37 entity may adopt an ordinance or a resolution providing that the board
 38 consists of five (5) members. If the board consists of five (5) members,
 39 not more than three (3) members may be of the same political party.

40 SECTION 71. IC 8-22-3-4, AS AMENDED BY P.L.84-2013,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 APRIL 1, 2022]: Sec. 4. (a) Except as provided in subsections (b), (c),



1 (d), (e), (f), and (g) and section 4.3 of this chapter, the board consists
 2 of four (4) members, whenever the fiscal body of an eligible entity,
 3 acting individually, establishes an authority. Except as provided in
 4 subsection (h) and section 4.5(f) of this chapter, the members of the
 5 board shall be appointed by the executive of the entity, and not more
 6 than two (2) members of the board may be of the same political party.

7 (b) In the event that two (2) cities or one (1) city and one (1) town
 8 act jointly to establish an authority under this chapter, the board
 9 consists of five (5) members. The executive of each city or town shall
 10 each appoint two (2) members to the board. The county executive shall
 11 appoint one (1) member to the board. Each member appointed by an
 12 executive must be of a different political party than the other appointed
 13 member.

14 (c) In the event that an authority is established by a city or town and
 15 a county, acting jointly, the board consists of six (6) members. The
 16 executive of each entity shall appoint three (3) members. Not more
 17 than two (2) members appointed by each executive may be of the same
 18 political party.

19 (d) In the event that an authority was established under IC 19-6-3
 20 (before its repeal on April 1, 1980) the board consists of five (5)
 21 members. Three (3) members of the board shall be appointed by the
 22 mayor of the city, and two (2) members of the board shall be appointed
 23 by the board of commissioners of the county. Not more than two (2)
 24 members representing the city may be members of the same political
 25 party, and not more than one (1) member representing the county may
 26 be a member of the same political party.

27 (e) Except as provided in section 4.1(b)(3) of this chapter, the
 28 county executive of each Indiana county that is adjacent to a county
 29 establishing an authority under this chapter and in which the authority
 30 owns real property may appoint one (1) advisory member to the board.
 31 An advisory member who is appointed under this subsection:

- 32 (1) must be a resident of the adjacent county;
- 33 (2) may not vote on any matter before the board;
- 34 (3) serves at the pleasure of the appointing authority; and
- 35 (4) serves without compensation or payment for expenses.

36 (f) The board of an authority established in a city ~~having a~~
 37 ~~population of more than sixteen thousand four hundred (16,400) but~~
 38 ~~less than seventeen thousand (17,000) the city of Frankfort~~ consists
 39 of five (5) members. The members of the board shall be appointed by
 40 the executive of the eligible entity, and not more than three (3)
 41 members of the board may be of the same political party.

42 (g) This subsection does not apply to a board subject to subsection



1 (b), (c), (d), or (f). Notwithstanding subsection (a), the fiscal body of
 2 an eligible entity may adopt an ordinance or a resolution providing that
 3 the board consists of five (5) members. If the board consists of five (5)
 4 members, not more than three (3) members may be of the same
 5 political party.

6 (h) If an airport authority is established under this section by the
 7 fiscal body of Clark County, the board must consist of four (4)
 8 members. Subject to section 4.5(f) of this chapter (concerning the
 9 initial members of the board):

10 (1) three (3) of the members of the board shall be appointed by
 11 the county executive of Clark County; and

12 (2) one (1) of the members of the board shall be appointed by the
 13 legislative body of the town of Sellersburg.

14 The board may consist of five (5) members if the fiscal body of Clark
 15 County adopts an ordinance or resolution as provided in subsection (g).
 16 Subject to section 4.5(f) of this chapter (concerning the initial members
 17 of the board), if the board consists of five (5) members, three (3) of the
 18 members of the board shall be appointed by the county executive of
 19 Clark County, one (1) of the members of the board shall be appointed
 20 by the fiscal body of Clark County, and one (1) of the members of the
 21 board shall be appointed by the legislative body of the town of
 22 Sellersburg.

23 SECTION 72. IC 8-22-3-4.1, AS AMENDED BY P.L.74-2018,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 APRIL 1, 2022]: Sec. 4.1. (a) This section applies only to the board of
 26 an airport authority established for a **Marion** County. ~~having a~~
 27 ~~consolidated city.~~

28 (b) The board consists of members appointed as follows:

29 (1) The mayor of the consolidated city shall appoint six (6)
 30 members. Each member appointed under this subdivision must be
 31 a resident of ~~the Marion~~ County. ~~having the consolidated city.~~

32 (2) The majority leader of the **Marion County** legislative body ~~of~~
 33 ~~the county having the consolidated city~~ shall appoint one (1)
 34 member. The member appointed under this subdivision must be
 35 a resident of ~~the Marion~~ County. ~~having the consolidated city.~~

36 (3) The county executive of each of the following Indiana
 37 counties shall each appoint one (1) member:

38 (A) Hendricks County.

39 (B) Hancock County.

40 (C) Hamilton County.

41 (D) Morgan County.

42 The county executive of a county represented on the board under



- 1 this subdivision may not appoint an advisory member under
 2 section 4(e) of this chapter.
 3 Not more than three (3) members appointed under subdivision (1) may
 4 be members of the same political party.
- 5 (c) The member of the board appointed under subsection (b)(2)
 6 must also be a resident of a ~~township that:~~ **either of the following**
 7 **townships in Marion County:**
 8 (1) ~~is located in the county having the consolidated city; and~~
 9 **Decatur Township.**
 10 (2) has a population of:
 11 (A) ~~less than fifty thousand (50,000); or~~
 12 (B) ~~more than one hundred thirty-three thousand (133,000) but~~
 13 ~~less than one hundred forty thousand (140,000):~~ **Wayne**
 14 **Township.**
- 15 (d) A member of the board appointed under subsection (b)(3)(A)
 16 must be a resident of a ~~township:~~
 17 (1) ~~located in the county making the appointment; and~~
 18 (2) ~~having a population of more than twenty-five thousand~~
 19 ~~(25,000) but less than twenty-eight thousand (28,000):~~ **Guilford**
 20 **Township in Hendricks County.**
- 21 (e) The member of the board appointed under subsection (b)(3)(D)
 22 must be a resident of:
 23 (1) Morgan County; and
 24 (2) one (1) of the following two (2) townships in Morgan County:
 25 (A) Brown Township.
 26 (B) Madison Township.
- 27 (f) A member of the board holds office for four (4) years and until
 28 the member's successor is appointed and qualified.
- 29 (g) If a vacancy occurs in the board, the authority that appointed the
 30 member that vacated the board shall appoint an individual to serve for
 31 the remainder of the unexpired term.
- 32 (h) A board member may be reappointed to successive terms.
- 33 (i) A board member may be impeached under the procedure
 34 provided for the impeachment of county officers.
- 35 (j) A board member appointed under subsection (b)(3) may not vote
 36 on a matter before the board relating to imposing, increasing, or
 37 decreasing property taxes in ~~the Marion County. having the~~
 38 ~~consolidated city:~~
- 39 SECTION 73. IC 8-22-3.5-1, AS AMENDED BY P.L.119-2012,
 40 SECTION 101, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the
 42 following:



- 1 (1) Each county having a consolidated city.
 2 (2) Each city having a population of more than ~~eighty thousand~~
 3 ~~(80,000)~~ but less than ~~eighty thousand four hundred (80,400)~~;
 4 **sixty-nine thousand (69,000) and less than sixty-nine thousand**
 5 **five hundred (69,500).**
 6 (3) Each county having a population of more than ~~one hundred~~
 7 ~~five thousand (105,000)~~ but less than ~~one hundred ten thousand~~
 8 ~~(110,000)~~; **one hundred thousand (100,000) and less than one**
 9 **hundred ten thousand (110,000).**
 10 (4) Each county having a population of more than ~~three hundred~~
 11 ~~thousand (300,000)~~ but less than ~~four hundred thousand~~
 12 ~~(400,000)~~; **three hundred fifty thousand (350,000) and less**
 13 **than four hundred thousand (400,000).**
 14 (5) Each county having a population of more than ~~one hundred~~
 15 ~~seventy-five thousand (175,000)~~ but less than ~~one hundred~~
 16 ~~eighty-five thousand (185,000)~~; **one hundred eighty thousand**
 17 **(180,000) and less than one hundred eighty-five thousand**
 18 **(185,000).**
 19 (6) Each county having a population of more than ~~one hundred~~
 20 ~~fifteen thousand (115,000)~~ but less than ~~one hundred twenty-five~~
 21 ~~thousand (125,000)~~; **one hundred ten thousand (110,000) and**
 22 **less than one hundred twelve thousand (112,000).**
 23 (7) Each city having a population of more than ~~fifty-five thousand~~
 24 ~~(55,000)~~ but less than ~~sixty thousand (60,000)~~; **fifty-four**
 25 **thousand (54,000) and less than fifty-eight thousand (58,000).**
 26 SECTION 74. IC 8-22-3.6-3, AS AMENDED BY P.L.38-2021,
 27 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 APRIL 1, 2022]: Sec. 3. (a) An authority that is located in a:
 29 (1) city having a population of more than ~~eighty thousand~~
 30 ~~(80,000)~~ but less than ~~eighty thousand four hundred (80,400)~~;
 31 **sixty-nine thousand (69,000) and less than sixty-nine thousand**
 32 **five hundred (69,500);**
 33 (2) county having a population of more than ~~one hundred five~~
 34 ~~thousand (105,000)~~ but less than ~~one hundred ten thousand~~
 35 ~~(110,000)~~; **one hundred thousand (100,000) and less than one**
 36 **hundred ten thousand (110,000);** or
 37 (3) county having a population of more than ~~three hundred~~
 38 ~~thousand (300,000)~~ but less than ~~four hundred thousand~~
 39 ~~(400,000)~~; **three hundred fifty thousand (350,000) and less**
 40 **than four hundred thousand (400,000);**
 41 may enter into a lease of an airport project with a lessor for a term not
 42 to exceed fifty (50) years and the lease may provide for payments to be



1 made by the airport authority from property taxes levied under
2 IC 8-22-3-17, taxes allocated under IC 8-22-3.5-9, any other revenues
3 available to the airport authority, or any combination of these sources.

4 (b) A lease may provide that payments by the authority to the lessor
5 are required only to the extent and only for the period that the lessor is
6 able to provide the leased facilities in accordance with the lease. The
7 terms of each lease must be based upon the value of the facilities leased
8 and may not create a debt of the authority or the eligible entity for
9 purposes of the Constitution of the State of Indiana.

10 (c) A lease may be entered into by the authority only after a public
11 hearing by the board at which all interested parties are provided the
12 opportunity to be heard. After the public hearing, the board may adopt
13 an ordinance authorizing the execution of the lease if it finds that the
14 service to be provided throughout the term of the lease will serve the
15 public purpose of the authority and is in the best interest of the
16 residents of the authority district.

17 (d) Upon execution of a lease providing for payments by the
18 authority in whole or in part from the levy of property taxes under
19 IC 8-22-3-17, the board shall publish notice of the execution of the
20 lease and its approval in accordance with IC 5-3-1. Fifty (50) or more
21 taxpayers residing in the authority district who will be affected by the
22 lease and who may be of the opinion that no necessity exists for the
23 execution of the lease or that the payments provided for in the lease are
24 not fair and reasonable may file a petition in the office of the county
25 auditor within thirty (30) days after the publication of the notice of
26 execution and approval. The petition must set forth the petitioners'
27 names, addresses, and objections to the lease and the facts showing that
28 the execution of the lease is unnecessary or unwise or that the
29 payments provided for in the lease are not fair and reasonable, as the
30 case may be.

31 (e) Upon the filing of a petition under subsection (d), the county
32 auditor shall immediately certify a copy of the petition, together with
33 any other data necessary to present the questions involved, to the
34 department of local government finance. Upon receipt of the certified
35 petition and information, the department of local government finance
36 shall fix a time for a hearing in the authority district, which must be not
37 less than five (5) or more than thirty (30) days after the time is fixed.
38 The department of local government finance may either hold the
39 hearing in the affected county or through electronic means. Notice of
40 the hearing shall be given by the department of local government
41 finance to the members of the board, and to the first fifty (50)
42 petitioners on the petition, by a letter signed by the commissioner of the



1 department of local government finance and enclosed with fully
 2 prepaid postage sent to those persons at their usual place of residence,
 3 at least five (5) days before the date of the hearing. The decision of the
 4 department of local government finance or on the appeal, upon the
 5 necessity for the execution of the lease, and as to whether the payments
 6 under it are fair and reasonable, is final.

7 (f) An authority entering into a lease payable from any sources
 8 permitted under this chapter may:

9 (1) pledge the revenue to make payments under the lease pursuant
 10 to IC 5-1-14-4; or

11 (2) establish a special fund to make the payments.

12 (g) Lease rentals may be limited to money in the special fund so that
 13 the obligations of the airport authority to make the lease rental
 14 payments are not considered debt of the unit or the district for purposes
 15 of the Constitution of the State of Indiana.

16 (h) Except as provided in this section, no approvals of any
 17 governmental body or agency are required before the authority enters
 18 into a lease under this section.

19 (i) An action to contest the validity of the lease or to enjoin the
 20 performance of any of its terms and conditions must be brought within
 21 thirty (30) days after the later of:

22 (1) the public hearing described in subsection (c); or

23 (2) the publication of the notice of the execution and approval of
 24 the lease described in subsection (d), if the lease is payable in
 25 whole or in part from tax levies.

26 However, if the lease is payable in whole or in part from tax levies and
 27 an appeal has been taken to the department of local government
 28 finance, an action to contest the validity or enjoin the performance
 29 must be brought within thirty (30) days after the decision of the
 30 department of local government finance.

31 (j) If an authority exercises an option to buy an airport project from
 32 a lessor, the authority may subsequently sell the airport project, without
 33 regard to any other statute, to the lessor at the end of the lease term at
 34 a price set forth in the lease or at fair market value established at the
 35 time of the sale by the authority through auction, appraisal, or arms
 36 length negotiation. If the airport project is sold at auction, after
 37 appraisal, or through negotiation, the board shall conduct a hearing
 38 after public notice in accordance with IC 5-3-1 before the sale. Any
 39 action to contest the sale must be brought within fifteen (15) days of
 40 the hearing.

41 SECTION 75. IC 8-22-3.7-4.5, AS AMENDED BY P.L.119-2012,
 42 SECTION 103, IS AMENDED TO READ AS FOLLOWS

ES 37—LS 6145/DI 13



1 [EFFECTIVE APRIL 1, 2022]: Sec. 4.5. Notwithstanding IC 8-22-1-6,
2 as used in this chapter, "eligible entity" means the following:

3 (1) A city having a population of more than ~~eighty thousand~~
4 ~~(80,000)~~ but less than ~~eighty thousand four hundred (80,400)~~.
5 **sixty-nine thousand (69,000) and less than sixty-nine thousand**
6 **five hundred (69,500).**

7 (2) A county having a population of more than ~~one hundred five~~
8 ~~thousand (105,000)~~ but less than ~~one hundred ten thousand~~
9 ~~(110,000)~~. **one hundred thousand (100,000) and less than one**
10 **hundred ten thousand (110,000).**

11 (3) A county having a population of more than ~~three hundred~~
12 ~~thousand (300,000)~~ but less than ~~four hundred thousand~~
13 ~~(400,000)~~. **three hundred fifty thousand (350,000) and less**
14 **than four hundred thousand (400,000).**

15 SECTION 76. IC 9-21-8-44.5, AS AMENDED BY P.L.168-2015,
16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 APRIL 1, 2022]: Sec. 44.5. (a) As used in this section, "compression
18 release engine brake" means a hydraulically operated device that
19 converts a power producing diesel engine into a power absorbing
20 retarding mechanism.

21 (b) A person who drives a motor vehicle equipped with compression
22 release engine brakes on the Indiana toll road in a county having a
23 population of more than ~~one hundred fifty thousand (150,000)~~ but less
24 ~~than one hundred seventy thousand (170,000)~~ **one hundred seventy**
25 **thousand (170,000) and less than one hundred seventy-four**
26 **thousand (174,000)** may not use the motor vehicle's compression
27 release engine brakes instead of the service brake system, except in the
28 case of failure of the service brake system.

29 (c) This subsection does not apply to a motor vehicle that has
30 compression release engine brakes with a factory installed muffler or
31 an equivalent after market muffler. A person may not drive a motor
32 vehicle equipped with compression release engine brakes unless the
33 motor vehicle is equipped with a muffler in good working condition so
34 that excessive noise is prevented.

35 SECTION 77. IC 11-12-11-6, AS ADDED BY P.L.204-2016,
36 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 APRIL 1, 2022]: Sec. 6. (a) The minimum allocation amount under this
38 chapter, which represents the dollar amount each county was entitled
39 to receive under level 3 funding in state fiscal year 1998, is as follows:

40	Adams County	\$ 14,000
41	Allen County	129,500
42	Bartholomew County	35,000

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1	Benton County	3,500
2	Blackford County	14,000
3	Boone County	14,000
4	Brown County	3,500
5	Carroll County	7,000
6	Cass County	17,500
7	Clark County	49,000
8	Clay County	7,000
9	Clinton County	17,500
10	Crawford County	3,500
11	Daviess County	7,000
12	Dearborn County	35,000
13	Decatur County	24,500
14	Dekalb County	24,500
15	Delaware County	35,000
16	Dubois County	45,500
17	Elkhart County	52,500
18	Fayette County	10,500
19	Floyd County	21,000
20	Fountain County	7,000
21	Franklin County	7,000
22	Fulton County	14,000
23	Gibson County	24,500
24	Grant County	28,000
25	Greene County	17,500
26	Hamilton County	28,000
27	Hancock County	10,500
28	Harrison County	24,500
29	Hendricks County	24,500
30	Henry County	17,500
31	Howard County	66,500
32	Huntington County	10,500
33	Jackson County	45,500
34	Jasper County	14,000
35	Jay County	7,000
36	Jefferson County	21,000
37	Jennings County	10,500
38	Johnson County	31,500
39	Knox County	14,000
40	Kosciusko County	42,000
41	LaGrange County	7,000
42	Lake County	234,500

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1	LaPorte County	35,000
2	Lawrence County	52,500
3	Madison County	101,500
4	Marion County	294,000
5	Marshall County	35,000
6	Martin County	3,500
7	Miami County	24,500
8	Monroe County	35,000
9	Montgomery County	24,500
10	Morgan County	31,500
11	Newton County	7,000
12	Noble County	28,000
13	Ohio County	3,500
14	Orange County	7,000
15	Owen County	7,000
16	Parke County	7,000
17	Perry County	14,000
18	Pike County	10,500
19	Porter County	42,000
20	Posey County	14,000
21	Pulaski County	10,500
22	Putnam County	14,000
23	Randolph County	10,500
24	Ripley County	17,500
25	Rush County	7,000
26	St. Joseph County	112,000
27	Scott County	31,500
28	Shelby County	17,500
29	Spencer County	10,500
30	Starke County	10,500
31	Steuben County	14,000
32	Sullivan County	7,000
33	Switzerland County	7,000
34	Tippecanoe County	56,000
35	Tipton County	3,500
36	Union County	3,500
37	Vanderburgh County	161,000
38	Vermillion County	14,000
39	Vigo County	42,000
40	Wabash County	21,000
41	Warren County	7,000
42	Warrick County	21,000

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1	Washington County	31,500
2	Wayne County	38,500
3	Wells County	10,500
4	White County	14,000
5	Whitley County	17,500

(b) The multiplier under this chapter for each county, which represents each county's approximate proportion of the total state population, is as follows:

9	Adams County	.0053
10	Allen County	.0548 .0568
11	Bartholomew County	.0118 .0121
12	Benton County	.0014 .0013
13	Blackford County	.0020 .0018
14	Boone County	.0087 .0104
15	Brown County	.0024 .0023
16	Carroll County	.0031 .0030
17	Cass County	.0060 .0056
18	Clark County	.0170 .0178
19	Clay County	.0041 .0039
20	Clinton County	.0051 .0049
21	Crawford County	.0017 .0016
22	Daviess County	.0049
23	Dearborn County	.0077 .0075
24	Decatur County	.0040 .0039
25	Dekalb County	.0065 .0064
26	Delaware County	.0181 .0165
27	Dubois County	.0065 .0064
28	Elkhart County	.0305 .0310
29	Fayette County	.0037 .0034
30	Floyd County	.0115 .0119
31	Fountain County	.0027 .0024
32	Franklin County	.0036 .0034
33	Fulton County	.0032 .0030
34	Gibson County	.0052 .0049
35	Grant County	.0108 .0098
36	Greene County	.0051 .0045
37	Hamilton County	.0423 .0512
38	Hancock County	.0108 .0118
39	Harrison County	.0061 .0058
40	Hendricks County	.0224 .0258
41	Henry County	.0076 .0072
42	Howard County	.0128 .0123



1	Huntington County	.0057 .0054
2	Jackson County	.0065 .0068
3	Jasper County	.0052 .0048
4	Jay County	.0033 .0030
5	Jefferson County	.0050 .0049
6	Jennings County	.0044 .0041
7	Johnson County	.0215 .0238
8	Knox County	.0059 .0054
9	Kosciusko County	.0119 .0118
10	LaGrange County	.0057 .0060
11	Lake County	.0765 .0735
12	LaPorte County	.0172 .0166
13	Lawrence County	.0071 .0066
14	Madison County	.0203 .0192
15	Marion County	.1393 .1440
16	Marshall County	.0073 .0068
17	Martin County	.0016 .0014
18	Miami County	.0057 .0053
19	Monroe County	.0213 .0206
20	Montgomery County	.0059 .0056
21	Morgan County	.0106
22	Newton County	.0022 .0020
23	Noble County	.0073 .0070
24	Ohio County	.0009
25	Orange County	.0031 .0029
26	Owen County	.0033 .0031
27	Parke County	.0027 .0024
28	Perry County	.0030 .0028
29	Pike County	.0020 .0018
30	Porter County	.0253 .0255
31	Posey County	.0040 .0037
32	Pulaski County	.0021 .0018
33	Putnam County	.0059 .0054
34	Randolph County	.0040 .0036
35	Ripley County	.0044 .0043
36	Rush County	.0027 .0025
37	St. Joseph County	.0412 .0402
38	Scott County	.0037 .0034
39	Shelby County	.0069 .0066
40	Spencer County	.0032 .0029
41	Starke County	.0036 .0034
42	Steuben County	.0053 .0051



1	Sullivan County	.0033 .0031
2	Switzerland County	.0016 .0014
3	Tippecanoe County	.0266 .0274
4	Tipton County	.0025 .0023
5	Union County	.0012 .0010
6	Vanderburgh County	.0277 .0266
7	Vermillion County	.0025 .0023
8	Vigo County	.0166 .0156
9	Wabash County	.0051 .0046
10	Warren County	.0013 .0012
11	Warrick County	.0092 .0094
12	Washington County	.0044 .0042
13	Wayne County	.0106 .0098
14	Wells County	.0043 .0042
15	White County	.0038 .0036
16	Whitley County	.0051 .0050

17 SECTION 78. IC 12-24-18-1, AS AMENDED BY P.L.119-2012,
 18 SECTION 107, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a city
 20 having a population of more than ~~thirty-six thousand five hundred~~
 21 ~~(36,500) but less than thirty-six thousand eight hundred twenty-five~~
 22 ~~(36,825): **thirty-five thousand (35,000) and less than thirty-seven**~~
 23 ~~**thousand (37,000).**~~

24 SECTION 79. IC 12-30-7-1, AS AMENDED BY P.L.119-2012,
 25 SECTION 108, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) This chapter applies to a
 27 county ~~that meets if all of~~ the following conditions **apply to the**
 28 **county:**

29 (1) The county has a population of more than ~~three hundred~~
 30 ~~thousand (300,000) but less than four hundred thousand~~
 31 ~~(400,000): **three hundred fifty thousand (350,000) and less**~~
 32 ~~**than four hundred thousand (400,000).**~~

33 (2) The county maintains, owns, or maintains and owns a county
 34 home for the support and care of persons who are aged, blind,
 35 destitute, homeless, infirm, chronically ill, or in need of nursing
 36 or convalescent care, but who do not require hospitalization.

37 (3) The county maintains, owns, or maintains and owns a hospital
 38 for the treatment of patients afflicted with tuberculosis and other
 39 chronic diseases that contracts with other counties for the
 40 treatment of citizens of the other counties.

41 (b) This chapter applies to a county ~~that meets if both of~~ the
 42 following conditions **apply to the county:**

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1 (1) The county has a population of more than ~~two hundred fifty~~
 2 ~~thousand (250,000) but less than two hundred seventy thousand~~
 3 ~~(270,000): two hundred fifty thousand (250,000) and less than~~
 4 ~~three hundred thousand (300,000).~~

5 (2) The county maintains or owns a county home for the support
 6 and care of persons who are aged, blind, destitute, homeless,
 7 infirm, chronically ill, or in need of nursing or convalescent care,
 8 but who do not require hospitalization.

9 SECTION 80. IC 13-17-5-5.4, AS AMENDED BY P.L.119-2012,
 10 SECTION 109, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE APRIL 1, 2022]: Sec. 5.4. (a) This section applies to the
 12 following counties:

13 (1) A county having a population of more than ~~seventy-one~~
 14 ~~thousand (71,000) but less than seventy-five thousand (75,000):~~
 15 ~~eighty thousand four hundred (80,400) and less than~~
 16 ~~eighty-two thousand (82,000).~~

17 (2) A county having a population of more than ~~one hundred ten~~
 18 ~~thousand (110,000) but less than one hundred eleven thousand~~
 19 ~~(111,000): one hundred twenty thousand (120,000) and less~~
 20 ~~than one hundred thirty thousand (130,000).~~

21 (b) For the purpose of determining the number of inspection stations
 22 operating in a county under this subsection, a temporary or portable
 23 inspection station counts as an inspection station. After July 1, 1997,
 24 the department must maintain in a county under subsection (a) an equal
 25 or greater number of inspection stations as were operating in the county
 26 on July 1, 1996.

27 SECTION 81. IC 13-17-5-9, AS AMENDED BY P.L.119-2012,
 28 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) After December 31, 2006,
 30 the board may not adopt a rule under air pollution control laws that
 31 requires motor vehicles to undergo a periodic test of emission
 32 characteristics in the following counties:

33 (1) A county having a population of more than ~~seventy-one~~
 34 ~~thousand (71,000) but less than seventy-five thousand (75,000):~~
 35 ~~eighty thousand four hundred (80,400) and less than~~
 36 ~~eighty-two thousand (82,000).~~

37 (2) A county having a population of more than ~~one hundred ten~~
 38 ~~thousand (110,000) but less than one hundred eleven thousand~~
 39 ~~(111,000): one hundred twenty thousand (120,000) and less~~
 40 ~~than one hundred thirty thousand (130,000).~~

41 (b) After December 31, 2006, 326 IAC 13-1.1 is void to the extent
 42 it applies to a county referred to in subsection (a).



1 (c) Unless the budget agency approves a periodic vehicle inspection
 2 program for a county referred to in subsection (a), the board shall
 3 amend 326 IAC 13-1.1 so that it does not apply after December 31,
 4 2006, to a county referred to in subsection (a).

5 (d) The budget agency, after review by the budget committee, may
 6 approve in writing the implementation of a periodic vehicle inspection
 7 program for one (1) or more counties described in subsection (a) only
 8 if the budget agency determines that the implementation of a periodic
 9 vehicle inspection program in the designated counties is necessary to
 10 avoid a loss of federal highway funding for the state or a political
 11 subdivision. The approval must specify the counties to which the
 12 periodic vehicle inspection program applies and the time during which
 13 the periodic vehicle inspection program must be conducted in each
 14 designated county. The budget agency, after review by the budget
 15 committee, shall withdraw an approval given under this subsection for
 16 a periodic vehicle inspection program in a county if the budget agency
 17 determines that the suspension of the periodic vehicle inspection
 18 program will not adversely affect federal highway funding for the state
 19 or a political subdivision.

20 SECTION 82. IC 13-17-11-2, AS AMENDED BY P.L.119-2012,
 21 SECTION 111, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE APRIL 1, 2022]: Sec. 2. The department may not issue
 23 a permit for the construction or the operation of a thermal oxidation
 24 unit that would be used only to remediate soil contaminated by
 25 petroleum or a petroleum byproduct if the thermal oxidation unit would
 26 be constructed or operated in a county that:

27 (1) has a population of:

28 (A) more than four hundred thousand (400,000) ~~but~~ **and** less
 29 than seven hundred thousand (700,000); or

30 (B) more than ~~one hundred fifty thousand (150,000) but less~~
 31 ~~than one hundred seventy thousand (170,000);~~ **one hundred**
 32 **seventy thousand (170,000) and less than one hundred**
 33 **seventy-four thousand (174,000); and**

34 (2) is located in an air quality control area that has been classified
 35 as a nonattainment area under the federal Clean Air Act (42
 36 U.S.C. 7401 et seq.);

37 unless it can be demonstrated that the thermal oxidation unit is in
 38 compliance with a state implementation plan submitted under Section
 39 182 of the federal Clean Air Act (42 U.S.C. 7511a).

40 SECTION 83. IC 13-18-12-9 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) This section
 42 applies only in a county having a population of more than ~~three~~



1 hundred thousand (300,000) but less than four hundred thousand
 2 (~~400,000~~): **three hundred fifty thousand (350,000) and less than**
 3 **four hundred thousand (400,000).**

4 (b) Except as provided in subsection (c), the point source discharge
 5 of sewage, treated or untreated, from a dwelling or its associated
 6 residential sewage disposal system to waters is prohibited.

7 (c) The point source discharge of treated sewage from an onsite
 8 residential sewage discharging disposal system to waters is permitted
 9 if:

10 (1) the local health department for the jurisdiction in which the
 11 system is located issues an operating permit for the system under
 12 subsection (d); and

13 (2) the discharge is authorized under a general permit issued
 14 under 40 CFR 122.28.

15 (d) In a county onsite waste management district established under
 16 IC 36-11 that performs all the functions related to onsite waste
 17 management listed in IC 36-11-2-1, the local health department for the
 18 jurisdiction in which the system is located may issue an operating
 19 permit for an onsite residential sewage discharging disposal system if
 20 the system is installed to repair a sewage disposal system that fails to
 21 meet public health and environmental standards and if:

22 (1) the local health department adopts procedural rules for
 23 monitoring onsite residential sewage discharging disposal systems
 24 in the jurisdiction, including fines or penalties, or both, for
 25 noncompliance, to ensure that:

26 (A) required maintenance is performed on the systems; and

27 (B) the systems do not discharge effluent that violates water
 28 quality standards;

29 (2) the local health department certifies, with respect to the
 30 system for which the permit is issued, that:

31 (A) the system is capable of operating properly;

32 (B) the system does not discharge effluent that violates water
 33 quality standards;

34 (C) an acceptable septic tank soil absorption system cannot be
 35 located on the property served by the system because of:

36 (i) soil characteristics;

37 (ii) size; or

38 (iii) topographical conditions;

39 of the property;

40 (D) the system:

41 (i) was properly installed by a qualified installer; and

42 (ii) provides the best available technology for residential



- 1 discharging onsite sewage disposal systems; and
- 2 (E) the local health department has:
 - 3 (i) investigated all technologies available for repair of the
 - 4 sewage disposal system that fails to meet public health and
 - 5 environmental standards other than the use of an onsite
 - 6 residential sewage discharging disposal system; and
 - 7 (ii) determined that an onsite residential sewage discharging
 - 8 disposal system is the only possible technology that can be
 - 9 used to effect a repair of the sewage disposal system that
 - 10 fails to meet public health and environmental standards
 - 11 without causing unreasonable economic hardship to the
 - 12 system owner; and
- 13 (3) the system for which the permit is issued cannot be connected
- 14 to a sanitary sewer because:
 - 15 (A) there is not a sanitary sewer connection available;
 - 16 (B) the sanitary sewer operator refuses connection; or
 - 17 (C) unreasonable economic hardship would result to the
 - 18 system owner because of:
 - 19 (i) the connection requirements of the sanitary sewer
 - 20 operator; or
 - 21 (ii) the distance to the sanitary sewer.
- 22 SECTION 84. IC 13-20-23-1, AS AMENDED BY P.L.119-2012,
- 23 SECTION 112, IS AMENDED TO READ AS FOLLOWS
- 24 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to
- 25 townships located in a county having a population of more than ~~two~~
- 26 ~~hundred fifty thousand (250,000) but less than two hundred seventy~~
- 27 ~~thousand (270,000).~~ **two hundred fifty thousand (250,000) and less**
- 28 **than three hundred thousand (300,000).**
- 29 SECTION 85. IC 13-21-3-5, AS AMENDED BY P.L.60-2017,
- 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 APRIL 1, 2022]: Sec. 5. (a) Except as provided in subsections (b)
- 32 through (e), the board of a county district consists of the following
- 33 members:
 - 34 (1) Two (2) members appointed by the county executive from the
 - 35 membership of the county executive.
 - 36 (2) One (1) member appointed by the county fiscal body from the
 - 37 membership of the fiscal body.
 - 38 (3) One (1) member:
 - 39 (A) who is the executive of the municipality having the largest
 - 40 population in the county if that municipality is a city; or
 - 41 (B) appointed from the membership of the legislative body of
 - 42 a town if the town is the municipality having the largest



- 1 population in the county.
- 2 (4) One (1) member of the legislative body of the municipality
- 3 with the largest population in the county appointed by the
- 4 legislative body of that municipality.
- 5 (5) One (1) of the following:
- 6 (A) A member who is the executive of a city in the county that
- 7 is not the municipality having the largest population in the
- 8 county and who is appointed by the executive of the county to
- 9 represent the municipalities in the county other than the
- 10 municipality having the largest population.
- 11 (B) A member who is a member of the legislative body of a
- 12 town in the county that is not the municipality having the
- 13 largest population in the county and who is appointed by the
- 14 executive of the county to represent the municipalities in the
- 15 county other than the municipality having the largest
- 16 population.
- 17 (C) If the county contains only one (1) municipality, a member
- 18 who is a freeholder whose freehold is located in the
- 19 conservancy district that:
- 20 (i) is located entirely within the county; and
- 21 (ii) contains the greatest number of freeholds of any
- 22 conservancy district located in the county;
- 23 and who is appointed to the board of the county district by the
- 24 board of the conservancy district.
- 25 (6) One (1) additional member appointed by the county executive
- 26 from the membership of the county executive.
- 27 (b) If a county having a population of more than four hundred
- 28 thousand (400,000) ~~but and~~ less than seven hundred thousand
- 29 (700,000) is designated as a county district, the executives of the three
- 30 (3) cities in the county having the largest populations each serve as a
- 31 member of the board or may appoint a member of the legislative body
- 32 of their city to serve as a member of the board. If a county having a
- 33 population of more than ~~two hundred fifty thousand (250,000) but less~~
- 34 ~~than two hundred seventy thousand (270,000)~~ **two hundred fifty**
- 35 **thousand (250,000) and less than three hundred thousand (300,000)**
- 36 is designated as a county district, the executives of the two (2) cities in
- 37 the county having the largest populations each serve as a member of
- 38 the board. If a county having a population of more than ~~two hundred~~
- 39 ~~fifty thousand (250,000) but less than two hundred seventy thousand~~
- 40 ~~(270,000)~~ **two hundred fifty thousand (250,000) and less than three**
- 41 **hundred thousand (300,000)** is designated as a county district, the
- 42 board of that county district must include the following:



- 1 (1) One (1) member of the legislative body of the city having the
 2 second largest population in the county, appointed by the
 3 president of the city legislative body.
- 4 (2) One (1) member of the legislative body of a town located in
 5 the county, appointed by the judge of the circuit court in the
 6 county.
- 7 (c) If a county having a consolidated city is designated a county
 8 district, the board of public works established under IC 36-3-5-6
 9 constitutes the board of the county district.
- 10 (d) If a county designated as a county district has a population of
 11 more than four hundred thousand (400,000) ~~but~~ **and** less than seven
 12 hundred thousand (700,000), the board of the district consists of the
 13 following members:
- 14 (1) One (1) member appointed by the county executive from the
 15 membership of the county executive.
- 16 (2) Two (2) members appointed from the county fiscal body
 17 appointed from the membership of the county fiscal body.
- 18 (3) The executive of each second or third class city or a member
 19 of the legislative body of their city appointed by the executive.
- 20 (4) One (1) member of the legislative body of each town
 21 appointed by the legislative body.
- 22 (5) One (1) member of the legislative body of the municipality
 23 with the largest population in the county appointed by the
 24 legislative body of that municipality.
- 25 (6) If a local government unit in the county has an operating final
 26 disposal facility located within the unit's jurisdiction, one (1)
 27 member of the unit's board of public works appointed by the
 28 board of public works.
- 29 (e) This subsection applies only to a county that does not contain a
 30 city. If the county executive and the county fiscal body of a county
 31 designated as a county district agree, the board of the district shall
 32 consist of the following nine (9) or ten (10) members:
- 33 (1) The three (3) members of the county executive.
- 34 (2) Two (2) members of the county fiscal body, chosen by the
 35 county fiscal body.
- 36 (3) One (1) member of each of the town legislative bodies of the
 37 four (4) or five (5) towns in the county having the largest
 38 population, chosen by each town legislative body.
- 39 SECTION 86. IC 13-21-3-6, AS AMENDED BY P.L.119-2012,
 40 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE APRIL 1, 2022]: Sec. 6. (a) Except as provided in
 42 subsections (b) through (d), the board of a joint district consists of the



- 1 following:
- 2 (1) One (1) member of the county executive of each participating
- 3 county.
- 4 (2) One (1) member of the county fiscal body of each
- 5 participating county.
- 6 (3) One (1) member:
- 7 (A) who is the executive of the municipality having the largest
- 8 population in the county if that municipality is a city; or
- 9 (B) if a town is the municipality having the largest population
- 10 in the county, who is appointed from the membership of the
- 11 fiscal body of that town.
- 12 (4) One (1) member of the legislative body of the municipality
- 13 having the largest population in each participating county,
- 14 appointed by the legislative body of that municipality.
- 15 (5) One (1) or more members who are the executives of cities
- 16 under subsection (b), if applicable.
- 17 (6) Additional members appointed by the executive of each
- 18 participating county from the membership of the executive, as
- 19 permitted under subsection (c).
- 20 (7) One (1) additional member appointed by the executive of the
- 21 participating county having the largest population from the
- 22 membership of the executive if the appointments made under
- 23 subdivisions (1) through (6) result in an even number of
- 24 members.
- 25 (b) If a county having a population of more than four hundred
- 26 thousand (400,000) ~~but and~~ less than seven hundred thousand
- 27 (700,000) has joined in a joint district, the executive of the three (3)
- 28 cities in the county having the largest populations each serve as a
- 29 member of the board. If a county having a population of more than ~~two~~
- 30 ~~hundred fifty thousand (250,000) but less than two hundred seventy~~
- 31 ~~thousand (270,000) two hundred fifty thousand (250,000) and less~~
- 32 ~~than three hundred thousand (300,000)~~ has joined in a joint district,
- 33 the executive of the two (2) cities in the county having the largest
- 34 populations each serve as a member of the board.
- 35 (c) An agreement between two (2) or more counties establishing a
- 36 joint district may allow the executive of each county to appoint a
- 37 certain number of additional members from the membership of the
- 38 executive based upon the proportion of each county's population to the
- 39 population of the entire district.
- 40 (d) An agreement among three (3) or more counties establishing a
- 41 joint district may provide that:
- 42 (1) the membership; and



1 (2) the terms of office of members;
 2 of the board will be determined by the terms of an agreement entered
 3 into by the executive of each county governing the operation of the
 4 district. All members of a board appointed under this subsection must
 5 be elected officials of a county or a municipality.

6 (e) The board of a joint district established under subsection (d) or
 7 IC 13-9.5-2-6(d) (before its repeal) after March 1, 1991:

8 (1) must include representation from the largest municipality in
 9 each county included in the joint district as recommended by the
 10 executive of the largest municipality and approved by the
 11 legislative body of the largest municipality; and

12 (2) may include representation from other municipalities in each
 13 county included in the joint district as recommended by the
 14 executive of a municipality and approved by the legislative body
 15 of the municipality.

16 (f) The board of a joint district may allow a member who is
 17 appointed from:

- 18 (1) the county executive;
- 19 (2) a county fiscal body; or
- 20 (3) a municipal legislative body;

21 to have the body on which the member serves designate an alternate
 22 member from that body to participate and exercise the right to vote
 23 with the board if the member is unable to attend a meeting.

24 SECTION 87. IC 13-21-3-12.2, AS AMENDED BY P.L.119-2012,
 25 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE APRIL 1, 2022]: Sec. 12.2. (a) This section applies to a
 27 county having a population of more than ~~one hundred seventy-five~~
 28 ~~thousand (+175,000) but less than one hundred eighty-five thousand~~
 29 ~~(+185,000):~~ **one hundred eighty thousand (180,000) and less than one**
 30 **hundred eighty-five thousand (185,000).**

31 (b) In addition to the powers granted to a district under section 12
 32 of this chapter, a district may make grants or loans of money, property,
 33 or services to a public or private program to plant or maintain trees in
 34 an area of the district that is a right-of-way, public property, or vacant
 35 property.

36 SECTION 88. IC 13-21-3-14.5, AS AMENDED BY P.L.119-2012,
 37 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE APRIL 1, 2022]: Sec. 14.5. (a) This section does not
 39 apply to the following:

- 40 (1) The continuation of waste management services that a solid
 41 waste district provides with its facilities or work force before
 42 March 15, 1996.



- 1 (2) Waste management services provided to the district under an
 2 agreement entered into by the district before March 15, 1996,
 3 with another person until the agreement terminates by its terms or
 4 is terminated for cause.
- 5 (3) The development, operation, and contracting for the
 6 development or operation of a publicly owned solid waste landfill
 7 in a county having a population of more than ~~one hundred eleven~~
 8 ~~thousand (111,000) but less than one hundred fifteen thousand~~
 9 ~~(115,000):~~ **one hundred twelve thousand (112,000) and less**
 10 **than one hundred twenty thousand (120,000).** The operation of
 11 the landfill must have begun before July 1, 2001.
- 12 (4) A contract entered into between the board and a third party
 13 before May 1, 1997, for the development or operation of a solid
 14 waste landfill in a county having a population of more than four
 15 hundred thousand (400,000) ~~but~~ **and** less than seven hundred
 16 thousand (700,000). The third party is limited to those parties that
 17 submitted proposals to the board under a formal request for
 18 proposals that were selected by the board, before December 1,
 19 1995, as finalists in the contract negotiations.
- 20 (5) A contract between a board and a third party to operate a
 21 facility that is owned by the district and for which construction
 22 was substantially complete before March 1, 1996.
- 23 (6) Activities conducted as part of household hazardous waste (as
 24 defined in IC 13-11-2-104) collection and disposal projects.
- 25 (7) A contract executed before April 1, 1998.
- 26 (b) Except as provided in subsection (c), a district may not:
- 27 (1) undertake to provide waste management services by means of
 28 its own work force; or
- 29 (2) contract with any person to provide waste management
 30 services.
- 31 (c) A district may perform the activities described in subsection (b):
- 32 (1) if:
- 33 (A) the board is able to adopt a resolution under subsection
 34 (d); and
- 35 (B) a private sector entity is not willing or able to provide
 36 waste management services at a reasonable cost to the district;
 37 or
- 38 (2) if the district is requested to do so by a unit of government that
 39 performs the activities with the unit's work force.
- 40 (d) The board may adopt a resolution determining that the district
 41 must either provide waste management services by means of its own
 42 work force or contract with a person to provide waste management



1 services, only if the board finds that:

- 2 (1) the waste management service is not currently available in the
 3 district at a reasonable cost; and
 4 (2) providing the waste management service by means of its own
 5 work force or by contract will benefit the public health, welfare,
 6 and safety of residents of the district.

7 The board's determination must be supported with findings of fact.

8 (e) A district shall provide notice by publication under IC 5-3-1 and
 9 at the time of publication serve by first class mail to any person that
 10 delivers to the district an annual written request for notices before
 11 January 1 of any meeting to consider adoption of a resolution making
 12 a preliminary determination that it is necessary for the district to
 13 undertake to provide waste management services by means of its own
 14 work force or contract with any person to provide waste management
 15 services.

16 (f) Whenever a district evaluates the reasonableness of cost under
 17 this section, it shall:

- 18 (1) compare the cost of the same level of service provided in the
 19 district or in similar demographic areas within Indiana; and
 20 (2) if the district wishes to provide waste management services
 21 with its own facilities or work force, the district must disclose the
 22 entire cost of providing the service by the district, including the
 23 following:
 24 (A) Subsidies arising from taxes, fees, grants, or
 25 intergovernmental transfers.
 26 (B) In-kind contributions of real estate, interests in real estate,
 27 equipment, personnel, or other assets.
 28 (C) Discounts.
 29 (D) Tax exemptions.

30 (g) A resolution adopted under subsection (d) may authorize a
 31 district to perform more than one (1) solid waste recycling, collection,
 32 or disposal event in the manner described in subsection (b) if:

- 33 (1) the duration of each event authorized by the resolution is not
 34 more than one (1) day; and
 35 (2) all events authorized by the resolution will take place in one
 36 (1) calendar year.

37 SECTION 89. IC 13-21-3-15, AS AMENDED BY P.L.119-2012,
 38 SECTION 117, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE APRIL 1, 2022]: Sec. 15. (a) A district located in a
 40 county having a population of more than ~~thirty-three thousand five~~
 41 ~~hundred (33,500) but less than thirty-four thousand (34,000)~~
 42 **thirty-three thousand (33,000) and less than thirty-three thousand**

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1 **one hundred (33,100)** may appeal to the department of local
 2 government finance to have a property tax rate in excess of the rate
 3 permitted by section 12 of this chapter. The appeal may be granted if
 4 the district establishes that all of the following conditions exist:

- 5 (1) The district is in the process of constructing a landfill.
 6 (2) A higher property tax rate is necessary to pay the fees charged
 7 by out of county landfills to dispose of solid waste generated in
 8 the district during the design and construction phases of the
 9 landfill being established by the district.

10 (b) The procedure applicable to maximum levy appeals under
 11 IC 6-1.1-18.5 applies to an appeal under this section. Any additional
 12 levy granted under this section may not exceed seven and thirty-three
 13 hundredths cents (\$0.0733) on each one hundred dollars (\$100) of
 14 assessed valuation of property in the district.

15 (c) The department of local government finance shall establish the
 16 tax rate if a higher tax rate is permitted.

17 (d) A property tax rate imposed under this section expires not later
 18 than December 31, 1997.

19 SECTION 90. IC 13-21-13-1, AS AMENDED BY P.L.119-2012,
 20 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) A board may impose fees on
 22 the disposal of solid waste in a final disposal facility located within the
 23 district. A fee imposed by a board in a county with a population of
 24 more than ~~one hundred eleven thousand (111,000)~~ but less than ~~one~~
 25 ~~hundred fifteen thousand (115,000)~~ **one hundred twelve thousand**
 26 **(112,000)** and less than ~~one hundred twenty thousand (120,000)~~
 27 under this section may not exceed two dollars and fifty cents (\$2.50) a
 28 ton. A fee imposed by a board in other counties under this section may
 29 not exceed:

- 30 (1) two dollars and fifty cents (\$2.50) a ton; or
 31 (2) the amount of a fee imposed by the board;
 32 (A) under this section; and
 33 (B) in effect on January 1, 1993;

34 whichever is greater.

35 (b) The board shall do the following:

- 36 (1) Set the amount of fees imposed under this section after a
 37 public hearing.
 38 (2) Give public notice of the hearing.

39 (c) If solid waste has been subject to a district fee under this section,
 40 the total amount of the fee that was paid shall be credited against a
 41 district fee to which the solid waste may later be subject under this
 42 section.



1 (d) Except as provided in section 4 of this chapter, fees imposed
 2 under this chapter shall be imposed uniformly on public facilities and
 3 on privately owned or operated facilities throughout the district.

4 (e) A resolution adopted by a board that establishes fees under this
 5 chapter may contain a provision that authorizes the board to impose a
 6 penalty of not more than five hundred dollars (\$500) per day because
 7 of:

8 (1) nonpayment of fees; or

9 (2) noncompliance with a condition in the resolution.

10 (f) A board may not impose fees for material used as alternate daily
 11 cover pursuant to a permit issued by the department under 329
 12 IAC 10-20-13.

13 SECTION 91. IC 14-13-2-7, AS AMENDED BY P.L.160-2012,
 14 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 APRIL 1, 2022]: Sec. 7. (a) The commission has:

16 (1) before July 1, 2012, five (5) members appointed by the
 17 governor; and

18 (2) after June 30, 2012, nine (9) members appointed by the
 19 governor.

20 (b) The following requirements apply to the governor's
 21 appointments under subsection (a)(1):

22 (1) One (1) member must be a representative of the department of
 23 natural resources. The member may not be an employee or elected
 24 official of a city, town, or county governmental unit.

25 (2) The remaining four (4) members must meet the following
 26 requirements:

27 (A) Four (4) members must reside in a:

28 (i) city;

29 (ii) town; or

30 (iii) township (if the member resides in an unincorporated
 31 area of the county);

32 that borders the Little Calumet River.

33 (B) At least three (3) of the members must have a background
 34 in:

35 (i) construction;

36 (ii) project management; or

37 (iii) flood control;

38 or a similar professional background.

39 (C) A member may not be an employee or elected official of
 40 a city, town, or county governmental unit.

41 (c) The following apply to the membership of the commission after
 42 June 30, 2012:

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- 1 (1) Before August 1, 2012, the governor shall appoint four (4)
 2 additional members to the commission for four (4) year terms as
 3 follows:
- 4 (A) One (1) member nominated by the mayor of a **the** city
 5 **having a population of more than eighty thousand five hundred**
 6 **(80,500) but less than one hundred thousand (100,000): of**
 7 **Hammond.**
- 8 (B) One (1) member nominated by the mayor of a **the** city
 9 **having a population of more than eighty thousand (80,000) but**
 10 **less than eighty thousand four hundred (80,400): of Gary.**
- 11 (C) Two (2) members nominated by the board of county
 12 commissioners of Lake County.
- 13 (2) Notwithstanding section 8 of this chapter, the term of the
 14 member described in subsection (b)(1) expires January 7, 2013.
 15 The governor shall appoint one (1) member nominated by the
 16 department of natural resources for a four (4) year term beginning
 17 January 7, 2013.
- 18 (3) Notwithstanding section 8 of this chapter, the terms of the
 19 members described in subsection (b)(2) expire January 1, 2014.
 20 The governor shall appoint for four (4) year terms beginning
 21 January 1, 2014, four (4) members, each of whom must have been
 22 nominated by the executive of a municipality located in the
 23 watershed other than a city described in subdivision (1).
- 24 (4) A member appointed to succeed a member appointed under
 25 subdivision (1) or (2) must be nominated by the nominating
 26 authority that nominated the member's predecessor, and a member
 27 appointed to succeed a member appointed under subdivision (3)
 28 must be nominated by the executive of a municipality located in
 29 the watershed other than a city described in subdivision (1).
- 30 (d) The following apply to a member appointed under subsection (c)
 31 and to any member appointed to succeed a member appointed under
 32 subsection (c):
- 33 (1) After July 31, 2012, not more than five (5) members of the
 34 commission may belong to the same political party.
- 35 (2) Each member must have a background in:
- 36 (A) construction;
- 37 (B) project management;
- 38 (C) flood control; or
- 39 (D) a similar professional background.
- 40 (3) A member may not be an employee or elected official of a
 41 city, town, or county governmental unit.
- 42 (4) The members:



1 (A) appointed under subsection (c)(3); or
 2 (B) appointed to succeed members appointed under subsection
 3 (c)(3);
 4 must be from different municipalities.
 5 (5) Neither the two (2) members appointed under subsection
 6 (c)(1)(C) nor any two (2) members appointed to succeed them
 7 may be from the same district created under IC 36-2-2-4(b).
 8 SECTION 92. IC 14-15-3-17, AS AMENDED BY P.L.195-2017,
 9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 APRIL 1, 2022]: Sec. 17. (a) Except as provided in subsection (b), a
 11 person may not operate a motorboat within two hundred (200) feet of
 12 the shore line of a lake or channel of the lake at a speed greater than
 13 idle speed.
 14 (b) This subsection applies to lakes formed by hydroelectric dams
 15 in a county having a population of: **either of the following counties:**
 16 (1) ~~more than twenty-four thousand five hundred (24,500) but less~~
 17 ~~than twenty-five thousand (25,000); or A county having a~~
 18 **population of more than twenty-four thousand six hundred**
 19 **(24,600) and less than twenty-five thousand (25,000).**
 20 (2) ~~more than twenty thousand (20,000) but less than twenty~~
 21 ~~thousand five hundred (20,500). A county having a population~~
 22 **of more than twenty thousand (20,000) and less than twenty**
 23 **thousand four hundred (20,400).**
 24 A person may not operate a motorboat within fifty (50) feet of the shore
 25 line at a speed greater than idle speed. However, on tributaries of lakes
 26 described in this subsection that are formed by hydroelectric dams, a
 27 person operating a motor boat may not approach or pass within two
 28 hundred (200) feet of the shore line of the tributary at a speed greater
 29 than idle speed. For the purposes of this chapter, tributaries on lakes
 30 formed by hydroelectric dams do not include the principal body of
 31 water flowing into the lakes.
 32 SECTION 93. IC 14-26-6-2, AS AMENDED BY P.L.119-2012,
 33 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE APRIL 1, 2022]: Sec. 2. This chapter does not apply to
 35 any of the following:
 36 (1) An artificial lake that is created or used in or in connection
 37 with the following:
 38 (A) Supplying a city or town with water.
 39 (B) The generation of electric energy.
 40 (C) The storage of water for a use described in clause (A) or
 41 (B).
 42 (2) The waters of Lake Michigan.



1 (3) A lake owned or controlled by the department.

2 (4) The waters of an artificial lake in a town located in a county
3 having a population of more than ~~forty-seven thousand five~~
4 ~~hundred (47,500) but less than forty-eight thousand (48,000):~~
5 **forty-seven thousand (47,000) and less than forty-eight**
6 **thousand (48,000).**

7 SECTION 94. IC 14-27-6-1, AS AMENDED BY P.L.119-2012,
8 SECTION 121, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the
10 following:

11 (1) A city having a population of more than one hundred ten
12 thousand (110,000) ~~but~~ **and** less than one hundred fifty thousand
13 (150,000).

14 (2) The county in which a city described in subdivision (1) exists.

15 SECTION 95. IC 14-28-1-22.2, AS ADDED BY P.L.199-2021,
16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 APRIL 1, 2022]: Sec. 22.2. (a) This section applies to local floodplain
18 administrators in a county having a population of more than ~~one~~
19 ~~hundred forty thousand (140,000) but less than one hundred fifty~~
20 ~~thousand (150,000):~~ **one hundred seventy-four thousand (174,000)**
21 **and less than one hundred eighty thousand (180,000).**

22 (b) A local floodplain administrator may issue a variance approving
23 a structure located within a floodway without a permit issued by the
24 director of the department under section 22 of this chapter if:

25 (1) the structure is not used as an abode or residence;

26 (2) the structure is constructed after January 1, 2018, but not later
27 than July 1, 2020; and

28 (3) the lowest floor of the structure is not more than
29 fifteen-hundredths (0.15) of a foot below two (2) feet above the
30 one hundred (100) year flood elevation.

31 (c) This section expires July 1, 2022.

32 SECTION 96. IC 14-33-2-18, AS AMENDED BY P.L.119-2012,
33 SECTION 122, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE APRIL 1, 2022]: Sec. 18. (a) This section applies only
35 to a district to be located in a county having a population of more than
36 ~~one hundred forty thousand (140,000) but less than one hundred fifty~~
37 ~~thousand (150,000):~~ **one hundred seventy-four thousand (174,000)**
38 **and less than one hundred eighty thousand (180,000).**

39 (b) If the court determines that a petition conforms to the
40 requirements, the court shall enter an order referring the petition to the
41 commission.

42 (c) The commission shall make a determination and report to the



1 court whether the proposed district should be established after
 2 determining whether the proposed district meets the following
 3 conditions:

- 4 (1) The proposed district appears to be necessary.
 5 (2) The proposed district holds promise of economic and
 6 engineering feasibility.
 7 (3) The proposed district seems to offer benefits in excess of costs
 8 and damages for purposes other than the following:
 9 (A) Water supply.
 10 (B) Storage of water for augmentation of stream flow.
 11 (C) Sewage disposal.
 12 (4) Whether the public health will be served immediately or
 13 prospectively by the establishment of the district for any of the
 14 following purposes:
 15 (A) Water supply.
 16 (B) Sewage disposal.
 17 (C) Storage of water for augmentation of stream flow.
 18 (D) Any combination of these purposes.
 19 (5) The proposed district proposes to cover and serve a proper
 20 area.
 21 (6) The proposed district can be established and operated in a
 22 manner compatible with established:
 23 (A) districts;
 24 (B) flood control projects;
 25 (C) reservoirs;
 26 (D) lakes;
 27 (E) drains;
 28 (F) levees;
 29 (G) regional water districts;
 30 (H) regional sewer districts; and
 31 (I) other water management or water supply projects.

32 (d) The fact that all the land included in the proposed district is
 33 owned by one (1) freeholder or a limited number of freeholders is not
 34 a sufficient reason for the commission or the court to make unfavorable
 35 findings on:

- 36 (1) the question of the establishment of the district; and
 37 (2) later, if the district is established, the approval of the district
 38 plan.

39 However, it must appear from the evidence that the land is subdivided
 40 or intended for subdivision and development and that the
 41 accomplishment of the purposes proposed and in the manner proposed
 42 would be necessary and desirable for the person acquiring and using



1 the land after subdivision and development.

2 SECTION 97. IC 14-33-5.4-1, AS AMENDED BY P.L.119-2012,
3 SECTION 123, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) This chapter applies only to
5 conservancy districts located wholly within a county having a
6 population of more than ~~twenty-three thousand three hundred (23,300)~~
7 ~~but less than twenty-four thousand (24,000):~~ **twenty-three thousand**
8 **(23,000) and less than twenty-three thousand three hundred**
9 **seventy-five (23,375).**

10 (b) This article governs conservancy districts located wholly within
11 a county having a population of more than ~~twenty-three thousand three~~
12 ~~hundred (23,300) but less than twenty-four thousand (24,000)~~
13 **twenty-three thousand (23,000) and less than twenty-three**
14 **thousand three hundred seventy-five (23,375)** generally except when
15 this article conflicts with a section of this chapter.

16 SECTION 98. IC 14-33-9-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This section
18 applies to districts:

19 (1) established after July 1, 1983; and

20 (2) containing all or part of a county having a population of more
21 than ~~three hundred thousand (300,000) but less than four hundred~~
22 ~~thousand (400,000):~~ **three hundred fifty thousand (350,000)**
23 **and less than four hundred thousand (400,000).**

24 (b) Each year the board shall submit two (2) copies of the estimated
25 budget formulated by the district for the next budget year to the fiscal
26 body of the county described in subsection (a) at least ten (10) days
27 before the board holds the public hearing on the estimated budget
28 under IC 6-1.1-17-3.

29 (c) The fiscal body:

30 (1) shall hold a public hearing on the budget; and

31 (2) may lower but may not increase any item in the estimated
32 budget.

33 Notice of the hearing shall be published in accordance with IC 5-3-1,
34 except that notice must be published at least five (5) days before the
35 hearing date.

36 (d) The county fiscal body shall deliver two (2) copies of the budget
37 approved under subsection (c) to the board at least two (2) days before
38 the date fixed for the public hearing on the budget held by the board
39 under IC 6-1.1-17-3. The board may not approve a total budget in
40 excess of the amount approved by the county fiscal body.

41 SECTION 99. IC 16-19-3-27 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 27. (a) The state



1 department of health shall:
2 (1) study the use of:
3 (A) effluent filters;
4 (B) recirculation media filters;
5 (C) aeration treatment units;
6 (D) drip irrigation;
7 (E) graveless trenches; and
8 (F) new technologies;
9 for residential septic systems that will cause systems to perform
10 satisfactorily as alternatives to currently operating systems that do
11 not perform satisfactorily because of soil characteristics, lot sizes,
12 topographical conditions, or high water tables; and
13 (2) take all actions necessary to develop plans and specifications
14 for use of the technologies listed in subdivision (1) in residential
15 septic systems.
16 (b) The executive board shall adopt reasonable rules under
17 IC 4-22-2 to:
18 (1) promulgate the plans and specifications developed under
19 subsection (a); and
20 (2) allow for the issuance of operating permits for:
21 (A) residential septic systems that are installed in compliance
22 with the plans and specifications promulgated under
23 subdivision (1); and
24 (B) onsite residential sewage discharging disposal systems in
25 a county having a population of more than ~~three hundred~~
26 ~~thousand (300,000)~~ but less than four hundred thousand
27 ~~(400,000)~~ **three hundred fifty thousand (350,000) and less**
28 **than four hundred thousand (400,000)** that comply with
29 IC 13-18-12-9.
30 SECTION 100. IC 16-20-1-30, AS ADDED BY P.L.220-2011,
31 SECTION 311, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE APRIL 1, 2022]: Sec. 30. (a) ~~In a county having a~~
33 ~~population of more than two hundred seventy thousand (270,000) and~~
34 ~~less than four hundred thousand (400,000); as reported by the 1980~~
35 ~~decennial census; employees~~ **An individual** who were employees of
36 **was an employee of** a city-county health department in **Allen County**
37 under IC 16-1-7-16 (before its repeal) on December 31, 1985, **are is**
38 entitled to the benefits relating to vacation, sick leave, insurance, and
39 clothing allowance permitted under IC 16-1-7-16 (before its repeal).
40 (b) The benefits provided under subsection (a) are subject to
41 satisfactory job performance.
42 SECTION 101. IC 16-20-2-2, AS AMENDED BY P.L.119-2012,



1 SECTION 124, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) Except as provided in
 3 IC 16-20-3, the executive of each county shall by ordinance establish
 4 and maintain a local health department.

5 (b) The executive of a county having a population of more than ~~one~~
 6 ~~hundred seventy thousand (170,000) but less than one hundred~~
 7 ~~seventy-five thousand (175,000)~~ **one hundred eighty-five thousand**
 8 **(185,000) and less than two hundred thousand (200,000)** may only
 9 establish and maintain one (1) local health department having
 10 countywide jurisdiction.

11 (c) The county executive in a county having a population of more
 12 than ~~one hundred seventy thousand (170,000) but less than one~~
 13 ~~hundred seventy-five thousand (175,000)~~ **one hundred eighty-five**
 14 **thousand (185,000) and less than two hundred thousand (200,000)**
 15 may adopt health ordinances that apply to the entire county.

16 (d) A health ordinance adopted by a city legislative body after
 17 December 31, 1993, in a county having a population of more than ~~one~~
 18 ~~hundred seventy thousand (170,000) but less than one hundred~~
 19 ~~seventy-five thousand (175,000)~~ **one hundred eighty-five thousand**
 20 **(185,000) and less than two hundred thousand (200,000)** is void.

21 SECTION 102. IC 16-20-2-7, AS AMENDED BY P.L.5-2017,
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 APRIL 1, 2022]: Sec. 7. (a) In the following counties, the county
 24 executive and the executive of the most populous city located in the
 25 county shall appoint the members of the local board of health as
 26 provided in subsection (b):

27 (1) A county having a population of more than ~~one hundred~~
 28 ~~seventy-five thousand (175,000) but less than one hundred~~
 29 ~~eighty-five thousand (185,000):~~ **one hundred eighty thousand**
 30 **(180,000) and less than one hundred eighty-five thousand**
 31 **(185,000).**

32 (2) A county having a population of more than ~~seventy-one~~
 33 ~~thousand (71,000) but less than seventy-five thousand (75,000):~~
 34 **eighty thousand four hundred (80,400) and less than**
 35 **eighty-two thousand (82,000).**

36 (b) The executive of each second class city located in a county
 37 described in subsection (a) shall appoint a number of members of the
 38 board in the proportion that the city's population is to the total county
 39 population to the nearest whole fraction. The appointments made under
 40 this subsection shall be made in order, according to the population of
 41 a city, with the city having the largest population making the first
 42 appointments. The county executive shall appoint the remaining



1 number of members of the county board of health.

2 SECTION 103. IC 16-20-2-18, AS AMENDED BY P.L.119-2012,
3 SECTION 127, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE APRIL 1, 2022]: Sec. 18. (a) This section applies to a
5 county having a population of more than ~~one hundred seventy thousand~~
6 ~~(170,000) but less than one hundred seventy-five thousand (175,000):~~
7 **one hundred eighty-five thousand (185,000) and less than two**
8 **hundred thousand (200,000).**

9 (b) Each year the county fiscal officer shall transfer to the
10 community health clinic located in the county an amount equal to the
11 revenue raised from a property tax rate of one hundred sixty-seven
12 thousandths of one cent (\$0.00167) for each one hundred dollars
13 (\$100) of assessed valuation of the taxable property in the county.

14 (c) The transfer shall be made in four (4) equal installments before
15 the end of January, April, July, and October. The transfer shall be made
16 without the necessity of an appropriation.

17 SECTION 104. IC 16-20-4-5, AS AMENDED BY P.L.119-2012,
18 SECTION 128, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) Except as provided in
20 subsection (b), the legislative body of a second class city may by
21 resolution provide for a full-time city health department.

22 (b) A local official, city legislative body, city fiscal body, or county
23 may not establish a full-time or part-time city health department in a
24 county having a population of more than ~~one hundred seventy thousand~~
25 ~~(170,000) but less than one hundred seventy-five thousand (175,000):~~
26 **one hundred eighty-five thousand (185,000) and less than two**
27 **hundred thousand (200,000).**

28 (c) A health ordinance adopted by a city legislative body after
29 December 31, 1993, in a county having a population of more than ~~one~~
30 ~~hundred seventy thousand (170,000) but less than one hundred~~
31 ~~seventy-five thousand (175,000) one hundred eighty-five thousand~~
32 **(185,000) and less than two hundred thousand (200,000) is void.**

33 SECTION 105. IC 16-20-4-27, AS AMENDED BY P.L.119-2012,
34 SECTION 130, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE APRIL 1, 2022]: Sec. 27. (a) This section applies to ~~each~~
36 ~~city having a population of any of the following cities:~~

37 (1) ~~More than twenty-nine thousand five hundred (29,500) but~~
38 ~~less than twenty-nine thousand six hundred (29,600): A city~~
39 **having a population of more than forty thousand (40,000) and**
40 **less than forty-five thousand (45,000).**

41 (2) ~~More than sixty-five thousand (65,000) but less than seventy~~
42 ~~thousand (70,000): A city having a population of more than~~



1 **seventy thousand (70,000) and less than seventy-five thousand**
2 **(75,000).**

3 (b) Each year the fiscal officer of each city shall transfer to the
4 community health clinic located in the county in which the city is
5 located an amount equal to the revenue raised from a property tax rate
6 of sixty-seven hundredths of one cent (\$0.0067) for each one hundred
7 dollars (\$100) of assessed valuation of the taxable property in the city.

8 (c) The transfer shall be made in four (4) equal installments before
9 the end of January, April, July, and October. The transfer shall be made
10 without the necessity of an appropriation.

11 SECTION 106. IC 16-22-2-3.1, AS AMENDED BY P.L.119-2012,
12 SECTION 131, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE APRIL 1, 2022]: Sec. 3.1. (a) This section applies to a
14 hospital operated under IC 16-12-4-2 (before its repeal on July 1, 1993)
15 that is located in a county having a population of more than ~~forty-two~~
16 ~~thousand three hundred (42,300) but less than forty-three thousand~~
17 ~~(43,000):~~ **forty-six thousand four hundred (46,400) and less than**
18 **forty-seven thousand (47,000).**

19 (b) The management of a hospital is under the control of a
20 governing board. The governing board consists of nine (9) members
21 appointed by the county executive as follows:

22 (1) Three (3) members must be members of the county executive.

23 (2) Six (6) members meeting the following requirements:
24 (A) At least four (4) members must be residents of the county.
25 (B) Not more than two (2) members appointed under this
26 subdivision may reside in a county other than the county in
27 which the hospital is located. A member who is not a resident
28 of the county in which the hospital is located must:

29 (i) be an Indiana resident; and
30 (ii) be appointed upon a submission made under section 11
31 of this chapter by the governing board of the hospital to the
32 appointing authority.

33 (C) One (1) member appointed under this subdivision may
34 also be a licensed physician.

35 (c) The term of each member of the governing board is three (3)
36 years.

37 (d) If a vacancy occurs due to the expiration of an appointed
38 member's term and the county executive does not fill the vacancy
39 within sixty (60) days from the date of expiration, the member whose
40 term has expired is automatically reappointed for another term.

41 SECTION 107. IC 16-22-2-4, AS AMENDED BY P.L.119-2012,
42 SECTION 132, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This section applies to the
 2 governing ~~boards~~ **board** of a county ~~hospitals~~ **hospital** in a county
 3 having a population of more than ~~thirty-eight thousand two hundred~~
 4 ~~(38,200)~~ **but less than thirty-eight thousand five hundred (38,500):**
 5 **thirty-six thousand (36,000) and less than thirty-six thousand five**
 6 **hundred (36,500).**

7 (b) Subject to subsection (c), the governing board of a county
 8 hospital consists of seven (7) members, as follows:

9 (1) Three (3) members must be the members of the county
 10 executive.

11 (2) Four (4) members, one (1) of whom may be a licensed
 12 physician, shall be appointed by the judge of the circuit court of
 13 the county.

14 (c) Not more than two (2) members of a governing board appointed
 15 under this section may reside in a county other than the county in
 16 which the hospital is located. A member who is not a resident of the
 17 county in which the hospital is located must:

18 (1) be an Indiana resident; and

19 (2) be appointed upon a submission made under section 11 of this
 20 chapter by the governing board of the hospital to the appointing
 21 authority.

22 (d) The term of office for members of the governing board, other
 23 than the members of the county executive, is two (2) years.

24 SECTION 108. IC 16-22-2-5, AS AMENDED BY P.L.119-2012,
 25 SECTION 133, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) This section applies to a
 27 county ~~hospitals~~ **hospital** in ~~counties~~ **a county** having a population of
 28 more than ~~seventeen thousand three hundred fifty (17,350)~~ **but less**
 29 **than eighteen thousand (18,000): sixteen thousand seven hundred**
 30 **(16,700) and less than nineteen thousand (19,000).**

31 (b) Subject to subsection (e), the hospital and the affairs and
 32 business of the hospital shall be under the management and control of
 33 a governing board consisting of seven (7) members as follows:

34 (1) Three (3) members must be members of the county executive.

35 (2) Two (2) members shall be appointed by the county fiscal
 36 body, one (1) of whom may be a licensed physician.

37 (3) Two (2) members shall be appointed by the county executive.

38 (c) One (1) of the members initially appointed by the county fiscal
 39 body serves for one (1) year and one (1) of the members initially
 40 appointed serves for two (2) years. After the initial appointment, the
 41 members serve for two (2) years.

42 (d) One (1) of the members initially appointed by the county



1 executive serves for one (1) year and one (1) of the members initially
 2 appointed serves for two (2) years. After the initial appointment, the
 3 members serve for two (2) years.

4 (e) Not more than two (2) members of a governing board appointed
 5 under this section may reside in a county other than the county in
 6 which the hospital is located. A member who is not a resident of the
 7 county in which the hospital is located must:

8 (1) be an Indiana resident; and

9 (2) be appointed upon a submission made under section 11 of this
 10 chapter by the governing board of the hospital to the appointing
 11 authority.

12 SECTION 109. IC 16-22-2-7, AS AMENDED BY P.L.119-2012,
 13 SECTION 134, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE APRIL 1, 2022]: Sec. 7. (a) Except as provided in
 15 subsection (d), a governing board of four (4) members in existence on
 16 September 2, 1971, may petition the county executive to increase the
 17 size of the board to five (5), six (6), seven (7), eight (8), or nine (9)
 18 members. If the county executive approves the petition, the county
 19 executive shall appoint new members to increase the number of board
 20 members to the chosen size in the following manner:

21 (1) All members must be residents of the county in which the
 22 hospital is located except in the following circumstances:

23 (A) If a determination is made to increase a board size to five
 24 (5) or six (6) members, one (1) member may be a resident of
 25 an Indiana county other than the county in which the hospital
 26 is located if the member to be appointed was recommended by
 27 the governing board as set forth in section 11 of this chapter to
 28 fill the vacancy.

29 (B) If a determination is made to increase a board size to at
 30 least seven (7) members, not more than two (2) members may
 31 be residents of an Indiana county other than the county in
 32 which the hospital is located if the member to be appointed
 33 was recommended by the governing board as set forth in
 34 section 11 of this chapter to fill the vacancy.

35 (2) If a board size of five (5) members is chosen, a new member
 36 shall be appointed for an initial term of one (1) year.

37 (3) If a board size of six (6) members is chosen, the new members
 38 shall be appointed in the following order as necessary:

39 (A) One (1) new member for an initial term of one (1) year.

40 (B) One (1) new member for an initial term of two (2) years.

41 (4) If a board size of seven (7) members is chosen, the new
 42 members shall be appointed in the following order as necessary:



- 1 (A) One (1) new member for an initial term of one (1) year.
- 2 (B) One (1) new member for an initial term of two (2) years.
- 3 (C) One (1) new member for an initial term of three (3) years.
- 4 (5) If a board size of eight (8) members is chosen, the new
- 5 members shall be appointed in the following order as necessary:
- 6 (A) One (1) new member for an initial term of one (1) year.
- 7 (B) One (1) new member for an initial term of two (2) years.
- 8 (C) One (1) new member for an initial term of three (3) years.
- 9 (D) One (1) new member for an initial term of four (4) years.
- 10 (6) If a board size of nine (9) members is chosen, the new
- 11 members shall be appointed in the following order as necessary:
- 12 (A) Two (2) new members for an initial term of one (1) year.
- 13 (B) One (1) new member for an initial term of two (2) years.
- 14 (C) One (1) new member for an initial term of three (3) years.
- 15 (D) One (1) new member for an initial term of four (4) years.
- 16 (7) If a board size of seven (7), eight (8), or nine (9) members is
- 17 chosen, two (2) members may be licensed physicians.
- 18 (b) A governing board that has increased its size may petition the
- 19 county executive to decrease the size of the board. However, a decrease
- 20 under this subsection may only be accomplished through:
- 21 (1) the vacancy of a member's position, either through expiration
- 22 of the member's term or any other cause; or
- 23 (2) removal of a member as provided under applicable law.
- 24 (c) There is no limit to the number of times a governing board may
- 25 seek to increase or decrease its size under this section.
- 26 (d) For a governing board of four (4) members located in a county
- 27 having a population of:
- 28 (1) more than ~~fourteen thousand (14,000)~~ but less than fifteen
- 29 ~~thousand (15,000);~~ **thirteen thousand (13,000) and less than**
- 30 **fifteen thousand (15,000);**
- 31 (2) more than ~~twenty-four thousand five hundred (24,500)~~ but less
- 32 ~~than twenty-five thousand (25,000);~~ **twenty-four thousand six**
- 33 **hundred (24,600) and less than twenty-five thousand (25,000);**
- 34 or
- 35 (3) more than ~~thirty-three thousand two hundred (33,200)~~ but less
- 36 ~~than thirty-three thousand two hundred fifty (33,250);~~
- 37 **thirty-three thousand one hundred fifty (33,150) and less than**
- 38 **thirty-three thousand three hundred (33,300);**
- 39 the county executive may increase the number of board members to
- 40 five (5), six (6), or seven (7), subject to the limitations of this section.
- 41 After the initial appointments, each board member shall be appointed
- 42 to serve for a term of four (4) years.



1 SECTION 110. IC 16-22-2-12, AS AMENDED BY P.L.119-2012,
 2 SECTION 135, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE APRIL 1, 2022]: Sec. 12. (a) This section applies to
 4 governing boards of a county hospital in a county having a population
 5 of more than:

6 (1) ~~seventeen thousand three hundred fifty (17,350) but less than~~
 7 ~~eighteen thousand (18,000); sixteen thousand seven hundred~~
 8 **(16,700) and less than nineteen thousand (19,000);**

9 (2) ~~twenty-six thousand (26,000) but less than twenty-six~~
 10 ~~thousand five hundred (26,500); and twenty-four thousand five~~
 11 **hundred (24,500) and less than twenty-four thousand six**
 12 **hundred (24,600); or**

13 (3) ~~forty-two thousand three hundred (42,300) but less than~~
 14 ~~forty-three thousand (43,000); forty-six thousand four hundred~~
 15 **(46,400) and less than forty-seven thousand (47,000).**

16 (b) The appointing authority shall appoint a member to fill a
 17 vacancy on the governing board within sixty (60) days after the
 18 vacancy occurs.

19 SECTION 111. IC 16-23-7-1, AS AMENDED BY P.L.119-2012,
 20 SECTION 136, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a
 22 nonprofit hospital corporation:

23 (1) in a city having a population of:

24 (A) more than one hundred ten thousand (110,000) ~~but and~~
 25 less than one hundred fifty thousand (150,000); or

26 (B) more than one hundred thousand (100,000) ~~but and~~ less
 27 than one hundred ten thousand (110,000);

28 (2) in a city without a city hospital or other means for furnishing
 29 the city's citizens hospital care; and

30 (3) that owns property in the city that:

31 (A) is used for hospital purposes; and

32 (B) has a value of at least four hundred thousand dollars
 33 (\$400,000).

34 SECTION 112. IC 16-23-8-1, AS AMENDED BY P.L.119-2012,
 35 SECTION 137, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a
 37 nonprofit hospital corporation:

38 (1) in a city having a population of:

39 (A) more than ~~fifty-five thousand (55,000) but less than sixty~~
 40 ~~thousand (60,000); fifty-four thousand (54,000) and less~~
 41 **than fifty-eight thousand (58,000); or**

42 (B) more than ~~sixty thousand (60,000) but less than sixty-five~~



- 1 thousand (~~65,000~~); **fifty-eight thousand (58,000) and less**
- 2 **than fifty-nine thousand (59,000);**
- 3 (2) in a county without a city or other public hospital;
- 4 (3) that admits persons for care and treatment without regard to
- 5 race, color, or religious creed;
- 6 (4) the revenue of which derived from the care of persons able to
- 7 pay and from all other sources is expended in the maintenance
- 8 and operation of the hospital and for the care of persons who are
- 9 unable to pay to the extent of the hospital's ability to do so;
- 10 (5) the revenue of which is insufficient to support and maintain
- 11 the hospital and enable the hospital to supply the need and
- 12 demand for hospital care and nursing in the city, either alone or
- 13 in conjunction with other hospitals in the city; and
- 14 (6) in a city that has no city hospital under the city's control that
- 15 is supported entirely by public money.

16 SECTION 113. IC 16-23-9-1, AS AMENDED BY P.L.119-2012,
 17 SECTION 138, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a
 19 nonprofit hospital corporation that:

- 20 (1) is located in a township having a population of more than
- 21 eight thousand (8,000) ~~but and~~ less than ten thousand (10,000)
- 22 located in a county having a population of more than ~~forty-seven~~
- 23 ~~thousand (47,000) but less than forty-seven thousand five hundred~~
- 24 ~~(47,500);~~ **forty-six thousand (46,000) and less than forty-six**
- 25 **thousand four hundred (46,400);**
- 26 (2) has a majority of members who are residents of the township;
- 27 (3) is managed by directors, a majority of whom are residents of
- 28 the township and who serve without compensation;
- 29 (4) is free from political or sectarian influence and is required by
- 30 the hospital's articles of incorporation to be so managed and
- 31 maintained perpetually; and
- 32 (5) is unable to be maintained and supported and to perform the
- 33 hospital service reasonably needed and required for the people of
- 34 the township without assistance, as determined by the township
- 35 trustee and township board.

36 SECTION 114. IC 16-24-1-4, AS AMENDED BY P.L.119-2012,
 37 SECTION 139, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) The county executive of a
 39 county having a population of more than ~~two hundred fifty thousand~~
 40 ~~(250,000) but less than two hundred seventy thousand (270,000)~~ **two**
 41 **hundred fifty thousand (250,000) and less than three hundred**
 42 **thousand (300,000)** may use the county's tuberculosis hospitals to treat



1 patients with tuberculosis and for other purposes necessary to qualify
 2 under the Medicare and Medicaid programs. At the discretion of the
 3 county executive, tuberculosis hospitals may become affiliated with a
 4 hospital in the community to enable the tuberculosis hospital to be fully
 5 utilized under all programs available.

6 (b) The superintendent of hospitals located in a county described
 7 under subsection (a) must be a qualified hospital administrator or an
 8 experienced physician selected by the governing board. The board shall
 9 delegate to the superintendent and all other personnel the duties of the
 10 board's respective positions.

11 SECTION 115. IC 16-24-1-9, AS AMENDED BY P.L.119-2012,
 12 SECTION 140, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) This section applies to a
 14 county having a population of:

- 15 (1) more than ~~three hundred thousand (300,000)~~ but less than four
 16 ~~hundred thousand (400,000)~~; **three hundred fifty thousand**
 17 **(350,000) and less than four hundred thousand (400,000)**; or
 18 (2) more than ~~two hundred fifty thousand (250,000)~~ but less than
 19 ~~two hundred seventy thousand (270,000)~~; **two hundred fifty**
 20 **thousand (250,000) and less than three hundred thousand**
 21 **(300,000).**

22 (b) The board of managers of the hospital consists of seven (7)
 23 members chosen by the county executive. The members must:

- 24 (1) be chosen without regard for political affiliation;
 25 (2) be citizens of the county; and
 26 (3) include at least two (2) licensed physicians.

27 (c) The term of office of each member of the board is four (4) years.
 28 The terms of not more than two (2) of the managers expire annually.
 29 The terms of the members of the board may not be altered. The initial
 30 appointments are for the respective terms of three (3) years, two (2)
 31 years, and one (1) year. Appointments of successors are for terms of
 32 four (4) years. Appointments to fill vacancies are for the unexpired
 33 term.

34 SECTION 116. IC 16-24-1-15, AS AMENDED BY P.L.119-2012,
 35 SECTION 141, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE APRIL 1, 2022]: Sec. 15. (a) This section applies to a
 37 county having a population of any of the following:

- 38 (1) More than ~~one hundred seventy-five thousand (175,000)~~ but
 39 ~~less than one hundred eighty-five thousand (185,000)~~; **one**
 40 **hundred eighty thousand (180,000) and less than one hundred**
 41 **eighty-five thousand (185,000).**
 42 (2) More than ~~one hundred twenty-five thousand (125,000)~~ but



1 less than one hundred thirty-five thousand (~~135,000~~): **one**
 2 **hundred thirty thousand (130,000) and less than one hundred**
 3 **thirty-nine thousand (139,000).**

4 (3) More than ~~one hundred eighty-five thousand (185,000)~~ but
 5 ~~less than two hundred fifty thousand (250,000)~~: **two hundred**
 6 **thousand (200,000) and less than two hundred fifty thousand**
 7 **(250,000).**

8 (4) More than ~~one hundred fifteen thousand (115,000)~~ but less
 9 ~~than one hundred twenty-five thousand (125,000)~~: **one hundred**
 10 **ten thousand (110,000) and less than one hundred twelve**
 11 **thousand (112,000).**

12 (b) The board of managers of a hospital for the treatment of patients
 13 afflicted with tuberculosis or other diseases, including chronic diseases
 14 and those requiring convalescent care, that contracts with other
 15 counties for the treatment of the citizens of other counties, may provide
 16 not more than one-half (1/2) of the cost of a program of group life
 17 insurance and group health, accident, and hospitalization insurance for
 18 the hospital's employees. The members of the families and dependents
 19 of the employees may participate in a program of group health,
 20 accident, and hospitalization insurance at no cost to the hospital.

21 SECTION 117. IC 16-24-1-16, AS AMENDED BY P.L.119-2012,
 22 SECTION 142, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE APRIL 1, 2022]: Sec. 16. (a) The governing board shall
 24 appoint a business manager for a tuberculosis hospital located in the
 25 following counties:

26 (1) **A county** having a consolidated city.

27 (2) **A county** having a population of more than ~~three hundred~~
 28 ~~thousand (300,000)~~ but less than ~~four hundred thousand~~
 29 ~~(400,000)~~: **three hundred fifty thousand (350,000) and less**
 30 **than four hundred thousand (400,000).**

31 (3) **A county** having a population of more than ~~two hundred fifty~~
 32 ~~thousand (250,000)~~ but less than ~~two hundred seventy thousand~~
 33 ~~(270,000)~~: **two hundred fifty thousand (250,000) and less than**
 34 **three hundred thousand (300,000).**

35 (b) The business manager is directly responsible to and serves at the
 36 pleasure of the governing board. The governing board shall prescribe
 37 the duties of the business manager.

38 SECTION 118. IC 16-24-2-1, AS AMENDED BY P.L.119-2012,
 39 SECTION 143, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) As used in this section,
 41 "county" refers to any of the following:

42 (1) A county having a population of more than ~~three hundred~~



- 1 thousand (300,000) but less than four hundred thousand
- 2 (~~400,000~~): **three hundred fifty thousand (350,000) and less**
- 3 **than four hundred thousand (400,000).**
- 4 (2) A county having a population of more than ~~two hundred fifty~~
- 5 ~~thousand (250,000) but less than two hundred seventy thousand~~
- 6 ~~(270,000):~~ **two hundred fifty thousand (250,000) and less than**
- 7 **three hundred thousand (300,000).**
- 8 (3) A county having a population of more than ~~one hundred~~
- 9 ~~seventy-five thousand (175,000) but less than one hundred~~
- 10 ~~eighty-five thousand (185,000):~~ **one hundred eighty thousand**
- 11 **(180,000) and less than one hundred eighty-five thousand**
- 12 **(185,000).**
- 13 (4) A county having a population of more than ~~one hundred~~
- 14 ~~twenty-five thousand (125,000) but less than one hundred~~
- 15 ~~thirty-five thousand (135,000):~~ **one hundred thirty thousand**
- 16 **(130,000) and less than one hundred thirty-nine thousand**
- 17 **(139,000).**

18 (b) This chapter applies to a county, if the county meets the
 19 following conditions:

- 20 (1) The county owns a hospital for the treatment of patients with
- 21 tuberculosis or other diseases, including chronic diseases and
- 22 diseases requiring convalescent care.
- 23 (2) The county contracts with other counties for the treatment of
- 24 the citizens of those other counties.

25 SECTION 119. IC 16-41-25-1, AS AMENDED BY P.L.261-2019,
 26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 APRIL 1, 2022]: Sec. 1. (a) The state department shall adopt rules
 28 under IC 4-22-2 that provide for a reasonable period not exceeding
 29 thirty (30) days in which a plan review and permit for residential septic
 30 systems must be approved or disapproved.

31 (b) This subsection applies to a county with a population of more
 32 than ~~seventy-seven thousand (77,000) but less than eighty thousand~~
 33 ~~(80,000):~~ **eighty thousand (80,000) and less than eighty thousand**
 34 **four hundred (80,400).** As used in this subsection, "fill soil" means
 35 soil transported and deposited by humans or soil recently transported
 36 and deposited by natural erosion forces. A rule that the state
 37 department adopts concerning the installation of residential septic
 38 systems in fill soil may not prohibit the installation of a residential
 39 septic system in fill soil on a plat if:

- 40 (1) before the effective date of the rule, the plat of the affected lot
- 41 was recorded;
- 42 (2) there is not an available sewer line within seven hundred fifty



1 (750) feet of the property line of the affected lot; and
 2 (3) the local health department determines that the soil, although
 3 fill soil, is suitable for the installation of a residential septic
 4 system.
 5 SECTION 120. IC 20-23-4-44, AS AMENDED BY P.L.119-2012,
 6 SECTION 145, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE APRIL 1, 2022]: Sec. 44. (a) This section applies only
 8 to a school corporation with territory in a county having a population
 9 of more than ~~one hundred seventy thousand (170,000)~~ but less than ~~one~~
 10 ~~hundred seventy-five thousand (175,000)~~: **one hundred eighty-five**
 11 **thousand (185,000) and less than two hundred thousand (200,000).**
 12 (b) This section applies if there is a:
 13 (1) tie vote in an election for a member of the governing body of
 14 a school corporation; or
 15 (2) vacancy on the governing body of a school corporation.
 16 (c) Notwithstanding any other law, if a tie vote occurs among any of
 17 the candidates for the governing body or a vacancy occurs on the
 18 governing body, the remaining members of the governing body, even
 19 if the remaining members do not constitute a majority of the governing
 20 body, shall by a majority vote of the remaining members:
 21 (1) select one (1) of the candidates who shall be declared and
 22 certified elected; or
 23 (2) fill the vacancy by appointing an individual to fill the vacancy.
 24 (d) An individual appointed to fill a vacancy under subsection
 25 (c)(2):
 26 (1) must satisfy all the qualifications required of a member of the
 27 governing body; and
 28 (2) shall fill the remainder of the unexpired term of the vacating
 29 member.
 30 (e) If a tie vote occurs among the remaining members of the
 31 governing body or the governing body fails to act within thirty (30)
 32 days after the election or the vacancy occurs, the fiscal body (as
 33 defined in IC 3-5-2-25) of the township in which the greatest
 34 percentage of population of the school district resides shall break the
 35 tie or make the appointment. A member of the fiscal body who was a
 36 candidate and is involved in a tie vote may not cast a vote under this
 37 subsection.
 38 (f) If the fiscal body of a township is required to act under this
 39 section and a vote in the fiscal body results in a tie, the deciding vote
 40 to break the tie vote shall be cast by the executive.
 41 SECTION 121. IC 20-23-8-7, AS AMENDED BY P.L.119-2012,
 42 SECTION 146, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE APRIL 1, 2022]: Sec. 7. (a) A plan or proposed plan
 2 must contain the following items:
 3 (1) The number of members of the governing body, which shall
 4 be:
 5 (A) three (3);
 6 (B) five (5); or
 7 (C) seven (7);
 8 members.
 9 (2) Whether the governing board shall be elected, appointed, or
 10 both.
 11 (3) If appointed, when and by whom, and a general description of
 12 the manner of appointment that conforms with the requirements
 13 of IC 20-23-4-28.
 14 (4) A provision that the members of an elected governing board
 15 shall be elected at the general election at which county officials
 16 are elected.
 17 (5) If the governing board will have members who are elected and
 18 members who are appointed, the following information:
 19 (A) The number of appointed members.
 20 (B) When and by whom each of the appointed members are
 21 appointed.
 22 (C) A general description of the manner of appointment that
 23 conforms with the requirements of IC 20-23-4-28.
 24 (D) The number of elected members.
 25 (E) A general description of the manner of election that
 26 conforms with the requirements of IC 20-23-4-27.
 27 (6) The limitations on:
 28 (A) residence;
 29 (B) term of office; and
 30 (C) other qualifications;
 31 required by members of the governing body.
 32 (7) The time the plan takes effect.
 33 A plan or proposed plan may have additional details to make the
 34 provisions of the plan workable. The details may include provisions
 35 relating to the commencement or length of terms of office of the
 36 members of the governing body taking office under the plan.
 37 (b) Except as provided in subsection (a)(1), in a city having a
 38 population of more than ~~fifty-five thousand (55,000)~~ but less than sixty
 39 ~~thousand (60,000)~~; **fifty-four thousand (54,000) and less than**
 40 **fifty-eight thousand (58,000)**, the governing body described in a plan
 41 may have up to nine (9) members.
 42 SECTION 122. IC 20-23-8-13, AS AMENDED BY P.L.43-2021,



1 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 13. (a) This section applies to a school
3 corporation located in a city having a population of more than ~~eighty~~
4 ~~thousand (80,000) but less than eighty thousand four hundred (80,400).~~
5 **sixty-nine thousand (69,000) and less than sixty-nine thousand five**
6 **hundred (69,500).**

7 (b) The city legislative body may adopt an ordinance to increase the
8 membership of the governing body of a school corporation to seven (7)
9 members.

10 (c) The ordinance must provide the following:

11 (1) The additional members of the governing body are to be
12 appointed by the city executive.

13 (2) If the plan is subsequently changed to provide for the election
14 of governing body members:

15 (A) the membership of the governing body may not be less
16 than seven (7); and

17 (B) the members of the governing body are to be elected.

18 (3) The initial terms of the members appointed under this section.

19 (4) The effective date of the ordinance.

20 (d) An ordinance adopted under this section:

21 (1) supersedes a part of the plan that conflicts with the ordinance;

22 (2) must be filed with the secretary of education under section 22
23 of this chapter; and

24 (3) may only be amended or repealed by the city legislative body.

25 SECTION 123. IC 20-23-12-2, AS AMENDED BY P.L.119-2012,
26 SECTION 148, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE APRIL 1, 2022]: Sec. 2. As used in this chapter, "school
28 corporation" means a school corporation that is located in a city having
29 a population of more than ~~eighty thousand (80,000) but less than eighty~~
30 ~~thousand four hundred (80,400).~~ **sixty-nine thousand (69,000) and**
31 **less than sixty-nine thousand five hundred (69,500).**

32 SECTION 124. IC 20-23-13-1, AS AMENDED BY P.L.219-2013,
33 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 APRIL 1, 2022]: Sec. 1. (a) In a community school corporation
35 established under IC 20-23-4 that has a population of more than ~~eighty~~
36 ~~thousand five hundred (80,500) but less than one hundred thousand~~
37 ~~(100,000);~~ **seventy-five thousand (75,000) and less than seventy-nine**
38 **thousand (79,000),** the governing body consists of a board of trustees
39 of five (5) members elected in the manner provided in this chapter.

40 (b) The governing body members shall be elected at the times
41 provided and shall succeed the retiring members in the order and
42 manner as set forth in this chapter.



1 (c) The term of each person elected to serve on the governing body
 2 begins on the date set in the school corporation's organization plan. The
 3 date set in the organization plan for an elected member of the
 4 governing body to take office may not be more than fourteen (14)
 5 months after the date of the member's election. If the school
 6 corporation's organization plan does not set a date for an elected
 7 member of the governing body to take office, the member takes office
 8 January 1 that immediately follows the person's election.

9 SECTION 125. IC 20-23-14-2, AS AMENDED BY P.L.119-2012,
 10 SECTION 150, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE APRIL 1, 2022]: Sec. 2. As used in this chapter, "school
 12 corporation" means a school corporation that is located in a city having
 13 a population of more than ~~twelve thousand five hundred (12,500)~~ but
 14 ~~less than twelve thousand seven hundred (12,700)~~; **thirteen thousand**
 15 **(13,000) and less than thirteen thousand three hundred (13,300).**

16 SECTION 126. IC 20-23-15-2, AS AMENDED BY P.L.119-2012,
 17 SECTION 151, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE APRIL 1, 2022]: Sec. 2. As used in this chapter, "school
 19 corporation" means a school corporation that:

20 (1) is located in a county having a population of:

21 (A) more than ~~three hundred thousand (300,000)~~ but less than
 22 ~~four hundred thousand (400,000)~~; **three hundred fifty**
 23 **thousand (350,000) and less than four hundred thousand**
 24 **(400,000); or**

25 (B) more than ~~two hundred fifty thousand (250,000)~~ but less
 26 ~~than two hundred seventy thousand (270,000)~~; **two hundred**
 27 **fifty thousand (250,000) and less than three hundred**
 28 **thousand (300,000); and**

29 (2) has at least twenty thousand (20,000) students.

30 SECTION 127. IC 20-23-17-1, AS AMENDED BY P.L.119-2012,
 31 SECTION 153, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a school
 33 corporation

34 ~~(1) located in a city that has a population of more than forty-seven~~
 35 ~~thousand (47,000) but less than forty-nine thousand (49,000);~~
 36 **fifty-one thousand (51,000) and less than fifty-three thousand**
 37 **(53,000). and**

38 ~~(2) for which a referendum has been held:~~

39 ~~(A) as required by statute; and~~

40 ~~(B) in which a majority of the votes cast approves choosing the~~
 41 ~~members of the governing body as provided in this chapter.~~

42 SECTION 128. IC 20-23-17.2-1, AS AMENDED BY P.L.119-2012,



1 SECTION 154, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a school
 3 corporation located in a city that has a population of more than
 4 ~~twenty-nine thousand six hundred (29,600) but less than twenty-nine~~
 5 ~~thousand nine hundred (29,900);~~ **twenty-six thousand (26,000) and**
 6 **less than twenty-eight thousand (28,000).**

7 SECTION 129. IC 20-46-8-1, AS AMENDED BY P.L.159-2020,
 8 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 APRIL 1, 2022]: Sec. 1. (a) A school corporation may impose an
 10 annual property tax levy for its operations fund.

11 (b) For property taxes first due and payable in 2019, the maximum
 12 permissible property tax levy a school corporation may impose for its
 13 operations fund (IC 20-40-18) is the following:

14 STEP ONE: Determine the sum of the following:

15 (A) The 2018 maximum permissible transportation levy
 16 determined under IC 20-46-4 (repealed January 1, 2019).

17 (B) The 2018 maximum permissible school bus replacement
 18 levy determined under IC 20-46-5 (repealed January 1, 2019).

19 (C) The 2018 amount that would be raised from a capital
 20 projects fund tax rate equal to the sum of:

21 (i) the maximum capital projects fund rate that the school
 22 corporation was authorized to impose for 2018 under
 23 IC 20-46-6 (repealed January 1, 2019), after any adjustment
 24 under IC 6-1.1-18-12 (but excluding any rate imposed for
 25 qualified utility and insurance costs); plus

26 (ii) the capital projects fund rate imposed for qualified utility
 27 and insurance costs in 2018.

28 (D) For school corporations described in IC 36-10-13-7, the
 29 2018 levy as provided in section 6 of this chapter (repealed
 30 January 1, 2019) to provide funding for an art association.

31 (E) For a school corporation in a county having a population
 32 of more than ~~two hundred fifty thousand (250,000) but less~~
 33 ~~than two hundred seventy thousand (270,000);~~ **two hundred**
 34 **fifty thousand (250,000) and less than three hundred**
 35 **thousand (300,000),** the 2018 levy as provided in section 7 of
 36 this chapter (repealed January 1, 2019) to provide funding for
 37 a historical society.

38 (F) For a school corporation described in IC 36-10-14-1, the
 39 2018 levy as provided in section 8 of this chapter (repealed
 40 January 1, 2019) to provide funding for a public playground.

41 STEP TWO: Determine the product of:

42 (A) The amount determined in STEP ONE, after eliminating



1 the effects of temporary excessive levy appeals and any other
 2 temporary adjustments made to each of these levies for 2018
 3 (regardless of whether the school corporation imposed the
 4 entire amount of that maximum permissible levy for the
 5 previous year); multiplied by
 6 (B) the maximum levy growth quotient determined under
 7 IC 6-1.1-18.5-2.

8 STEP THREE: Determine the result of the following:
 9 (A) Determine the sum of:
 10 (i) the amount determined in STEP TWO; plus
 11 (ii) the amount granted due to an appeal to increase the levy
 12 for transportation for 2019.
 13 (B) Make the school bus replacement adjustment for 2019.

14 (c) After 2019, the maximum permissible property tax levy a school
 15 corporation may impose for its operations fund for a particular year is
 16 the following:
 17 STEP ONE: Determine the product of:
 18 (A) the maximum permissible property tax levy for the school
 19 corporation's operations fund for the previous year, after
 20 eliminating the effects of temporary excessive levy appeals
 21 and any other temporary adjustments made to the levy for the
 22 previous year (regardless of whether the school corporation
 23 imposed the entire amount of the maximum permissible levy
 24 for the previous year); multiplied by
 25 (B) the maximum levy growth quotient determined under
 26 IC 6-1.1-18.5-2.

27 STEP TWO: Determine the result of the following:
 28 (A) Determine the sum of:
 29 (i) the amount determined in STEP ONE; plus
 30 (ii) the amount granted due to an appeal to increase the
 31 maximum permissible operations fund levy for the year
 32 under section 3 of this chapter for transportation.
 33 (B) Make the school bus replacement adjustment permitted by
 34 section 3 of this chapter.

35 SECTION 130. IC 22-11-3.1-2, AS AMENDED BY P.L.119-2012,
 36 SECTION 157, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) A contractor doing work,
 38 other than work for a political subdivision, in a county having a
 39 population of:
 40 (1) more than four hundred thousand (400,000) ~~but and~~ less than
 41 seven hundred thousand (700,000); or
 42 (2) more than ~~one hundred fifty thousand (150,000) but less than~~



1 ~~one hundred seventy thousand (170,000); one hundred seventy~~
 2 ~~thousand (170,000) and less than one hundred seventy-four~~
 3 ~~thousand (174,000);~~

4 must obtain a unified license bond as provided in this chapter. This
 5 unified license bond is in lieu of any other bond for this type of work
 6 required by the county or a city or town within that county, and the
 7 bond must be in an amount equal to five thousand dollars (\$5,000).

8 (b) The unified license bond shall be held for compliance with the
 9 ordinances and regulations governing business in the county, or a city
 10 or town within that county. The unified license bond required by this
 11 chapter shall be filed with the county recorder.

12 SECTION 131. IC 25-37-1-15, AS AMENDED BY P.L.119-2012,
 13 SECTION 158, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE APRIL 1, 2022]: Sec. 15. A county having a population
 15 of more than ~~seventeen thousand two hundred fifty (17,250) but less~~
 16 ~~than seventeen thousand three hundred fifty (17,350) sixteen thousand~~
 17 **(16,000) and less than sixteen thousand four hundred (16,400)** may
 18 require that the holder of a registered retail merchant's certificate under
 19 IC 6-2.5-8 obtain a transient merchant license.

20 SECTION 132. IC 31-31-8-4, AS AMENDED BY P.L.119-2012,
 21 SECTION 160, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This section applies to a
 23 county having a population of more than ~~one hundred eleven thousand~~
 24 ~~(111,000) but less than one hundred fifteen thousand (115,000): one~~
 25 **hundred twelve thousand (112,000) and less than one hundred**
 26 **twenty thousand (120,000).**

27 (b) Notwithstanding section 3 of this chapter, the juvenile court
 28 shall operate a juvenile detention facility or juvenile shelter care
 29 facility established in the county. However, the county legislative body
 30 shall determine the budget for the juvenile detention facility or juvenile
 31 shelter care facility. The expenses for the juvenile detention facility
 32 shall be paid from the county general fund.

33 SECTION 133. IC 32-25-4-3.5, AS AMENDED BY P.L.119-2012,
 34 SECTION 161, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE APRIL 1, 2022]: Sec. 3.5. (a) This section applies only
 36 to a condominium located on the shore of a lake located in a township
 37 with a population of more than ~~three thousand (3,000) but less than~~
 38 ~~three thousand one hundred (3,100) located in a county having a~~
 39 ~~population of more than forty-seven thousand (47,000) but less than~~
 40 ~~forty-seven thousand five hundred (47,500): two thousand (2,000) and~~
 41 **less than two thousand seven hundred eighty (2,780) located in a**
 42 **county having a population of more than forty-six thousand**



1 **(46,000) and less than forty-six thousand four hundred (46,400).**
2 (b) Except as otherwise provided in a statement described in:
3 (1) IC 32-25-7-1(a)(10) and included in:
4 (A) the declaration; or
5 (B) an amendment to the declaration, if the amendment is
6 approved by at least ninety-five percent (95%) of co-owners;
7 or
8 (2) IC 32-25-8-2(12) and included in:
9 (A) the bylaws; or
10 (B) an amendment to the bylaws, if the amendment is
11 approved by the percentage of votes set forth in the bylaws
12 under IC 32-25-8-2(11);
13 part or all of the common areas and facilities of a condominium may be
14 conveyed or subjected to a security interest by the association of
15 co-owners if at least ninety-five percent (95%) of the co-owners,
16 including at least ninety-five percent (95%) of the co-owners of
17 condominium units not owned by the declarant, agree to the action.
18 However, if the common areas and facilities proposed to be conveyed
19 or encumbered under this section include any limited common areas
20 and facilities, all the owners of the limited common areas and facilities
21 to be conveyed or encumbered must agree to the conveyance or
22 encumbrance.
23 (c) An agreement to convey or encumber common areas and
24 facilities under this section must be evidenced by an agreement:
25 (1) executed in the same manner as a deed or any other instrument
26 recognized by the state for the conveyance or transfer of interests
27 in title; and
28 (2) signed by:
29 (A) at least ninety-five percent (95%) of the co-owners, as
30 required by this section; or
31 (B) another percentage of the co-owners specified in a
32 statement described in subsection (b)(1) or (b)(2).
33 An agreement under this subsection is effective upon being recorded.
34 (d) Proceeds from the conveyance or encumbrance of common areas
35 and facilities under this section shall be distributed to co-owners as
36 common profits under IC 32-25-8-6. However, if the common areas
37 and facilities conveyed or encumbered under this section include
38 limited common areas and facilities, proceeds from the conveyance or
39 encumbrance of the limited common areas and facilities shall be
40 distributed to the owners of the limited common areas and facilities
41 according to the percentage of the owners' undivided interest in the
42 limited common areas and facilities.



1 (e) A conveyance or encumbrance of common areas and facilities
2 not made in accordance with:

- 3 (1) this section; or
- 4 (2) a statement described in subsection (b)(1) or (b)(2);

5 is void.

6 SECTION 134. IC 32-25-7-1, AS AMENDED BY P.L.119-2012,
7 SECTION 162, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) The owner of the land on
9 which a condominium is declared shall record with the recorder of the
10 county in which the land is situated a declaration. Except as provided
11 in section 2 or 3 of this chapter, the declaration must include the
12 following:

- 13 (1) A description of the land on which the building and
14 improvements are or are to be located.
- 15 (2) A description of the building, stating:
 - 16 (A) the number of stories and basements; and
 - 17 (B) the number of condominium units.
- 18 (3) A description of the common areas and facilities.
- 19 (4) A description of the limited common areas and facilities, if
20 any, stating to which condominium units their use is reserved.
- 21 (5) The percentage of undivided interest in the common areas and
22 facilities appertaining to each condominium unit and its owner for
23 all purposes, including voting.
- 24 (6) A statement of the percentage of votes by the condominium
25 unit owners required to determine whether to:
 - 26 (A) rebuild;
 - 27 (B) repair;
 - 28 (C) restore; or
 - 29 (D) sell;

30 the property if all or part of the property is damaged or destroyed.
- 31 (7) Any covenants and restrictions in regard to the use of:
 - 32 (A) the condominium units; and
 - 33 (B) common areas and facilities.
- 34 (8) Any further details in connection with the property that:
 - 35 (A) the person executing the declaration considers desirable;
 - 36 and
 - 37 (B) are consistent with this article.
- 38 (9) The method by which the declaration may be amended in a
39 manner consistent with this chapter.
- 40 (10) This subdivision applies only to a condominium located on
41 the shore of a lake located in a township with a population of
42 more than ~~three thousand (3,000)~~ but less than ~~three thousand one~~



1 hundred (3,100) located in a county having a population of more
 2 than forty-seven thousand (47,000) but less than forty-seven
 3 thousand five hundred (47,500). **two thousand (2,000) and less**
 4 **than two thousand seven hundred eighty (2,780) located in a**
 5 **county having a population of more than forty-six thousand**
 6 **(46,000) and less than forty-six thousand four hundred**
 7 **(46,400).** A statement of the percentage of votes by the
 8 condominium unit owners required to convey or encumber part or
 9 all of the common areas and facilities. A statement under this
 10 subdivision may not allow less than ninety-five percent (95%) of
 11 the condominium unit owners, or less than ninety-five percent
 12 (95%) of the owners of condominium units not owned by the
 13 declarant, to convey or encumber part or all of the common areas
 14 and facilities. If the declaration does not include a statement
 15 under this subdivision, IC 32-25-4-3.5 applies.

16 (b) A true copy of the bylaws shall be annexed to and made a part
 17 of the declaration.

18 (c) The record of the declaration shall contain a reference to the:

- 19 (1) book;
- 20 (2) page; and
- 21 (3) date of record;

22 of the floor plans of the building affected by the declaration.

23 SECTION 135. IC 33-35-2-6.5, AS ADDED BY P.L.74-2012,
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 APRIL 1, 2022]: Sec. 6.5. A city court in a city having a population of
 26 more than ~~ten thousand five hundred (10,500) but less than eleven~~
 27 ~~thousand (11,000)~~ **ten thousand four hundred (10,400) and less than**
 28 **eleven thousand (11,000)** has concurrent jurisdiction with the circuit
 29 court in civil cases in which the amount in controversy does not exceed
 30 one thousand five hundred dollars (\$1,500). However, the city court
 31 does not have jurisdiction in actions for:

- 32 (1) slander;
- 33 (2) libel;
- 34 (3) foreclosure of mortgage on real estate, in which the title to real
 35 estate is in issue;
- 36 (4) matters relating to a decedent's estate, appointment of
 37 guardians, and all related matters; and
- 38 (5) actions in equity.

39 SECTION 136. IC 33-39-6-7, AS AMENDED BY P.L.119-2012,
 40 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE APRIL 1, 2022]: Sec. 7. The prosecuting attorney of
 42 each judicial circuit of the second class ~~within~~ a county having a



1 population of more than ~~two hundred fifty thousand (250,000)~~ but less
 2 than ~~two hundred seventy thousand (270,000)~~ **two hundred fifty**
 3 **thousand (250,000) and less than three hundred thousand (300,000)**
 4 shall devote the prosecuting attorney's full professional time to the
 5 duties of the prosecuting attorney's office. The prosecuting attorney
 6 may not engage in the private practice of law for the term for which the
 7 prosecuting attorney was elected or appointed, and the prosecuting
 8 attorney is entitled to a minimum annual salary that is not less than the
 9 salary of the judge of the circuit court of the same judicial circuit.

10 SECTION 137. IC 33-40-6-4, AS AMENDED BY P.L.69-2019,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 APRIL 1, 2022]: Sec. 4. (a) For purposes of this section, the term
 13 "county auditor" includes a person who:

- 14 (1) is the auditor of a county that is a member of a multicounty
 15 public defender's office; and
- 16 (2) is responsible for the receipt, disbursement, and accounting of
 17 all monies distributed to the multicounty public defender's office.

18 (b) A county auditor may submit on a quarterly basis a certified
 19 request to the public defender commission for reimbursement from the
 20 public defense fund for an amount equal to fifty percent (50%) of the
 21 county's expenditures for indigent defense services provided to a
 22 defendant against whom the death sentence is sought under
 23 IC 35-50-2-9.

24 (c) A county auditor may submit on a quarterly basis a certified
 25 request to the public defender commission for reimbursement from the
 26 public defense fund for an amount equal to forty percent (40%) of the
 27 county's or multicounty public defender's office's expenditures for
 28 indigent defense services provided in all noncapital cases except
 29 misdemeanors.

30 (d) A request under this section from a county described in
 31 ~~IC 33-40-7-1(3)~~ **IC 33-40-7-1(5)** may be limited to expenditures for
 32 indigent defense services provided by a particular division of a court.

33 SECTION 138. IC 33-40-7-1, AS AMENDED BY P.L.13-2013,
 34 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 APRIL 1, 2022]: Sec. 1. This chapter does not apply to a county that:
 36 **the following counties:**

- 37 (1) ~~contains a consolidated city;~~ **Marion County.**
- 38 (2) ~~A county has~~ **having** a population of
 39 ~~(A) more than three hundred thousand (300,000) but less than~~
 40 ~~four hundred thousand (400,000);~~ **three hundred fifty**
 41 **thousand (350,000) and less than four hundred thousand**
 42 **(400,000).**



- 1 (B) more than two hundred fifty thousand (250,000) but less
- 2 than two hundred seventy thousand (270,000); or
- 3 (C) more than one hundred seventy-five thousand (175,000)
- 4 but less than one hundred eighty-five thousand (185,000); or
- 5 **(3) A county having a population of more than two hundred**
- 6 **fifty thousand (250,000) and less than three hundred thousand**
- 7 **(300,000).**
- 8 **(4) A county having a population of more than one hundred**
- 9 **eighty thousand (180,000) and less than one hundred**
- 10 **eighty-five thousand (185,000).**
- 11 ~~(3) has~~ **(5) A county having** a population of more than four
- 12 hundred thousand (400,000) ~~but and~~ less than seven hundred
- 13 thousand (700,000), except as provided in sections 5 and 11 of
- 14 this chapter.

15 SECTION 139. IC 33-40-7-5, AS AMENDED BY P.L.69-2019,
 16 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 APRIL 1, 2022]: Sec. 5. (a) The board, or joint board of a multicounty
 18 public defender's office created under section 3.5 of this chapter, shall
 19 prepare a comprehensive plan that must include at least one (1) of the
 20 following methods of providing legal defense services to indigent
 21 persons:

- 22 (1) Establishing a county or multicounty public defender's office.
- 23 (2) Contracting with an attorney, a group of attorneys, or a private
- 24 organization.
- 25 (3) Using an assigned counsel system of panel attorneys for case
- 26 by case appointments under section 9 of this chapter.
- 27 (4) In a county described in section ~~4(3)~~ **1(5)** of this chapter,
- 28 establishing a public defender's office for the criminal division of
- 29 the superior court.

30 (b) The plan prepared under subsection (a) shall be submitted to the
 31 Indiana public defender commission.

32 (c) If a multicounty public defender's joint board is established
 33 under section 3.5 of this chapter, the comprehensive plan shall
 34 establish a multicounty public defender's office.

35 SECTION 140. IC 33-40-7-11, AS AMENDED BY P.L.69-2019,
 36 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 APRIL 1, 2022]: Sec. 11. (a) For purposes of this section, the term
 38 "county auditor" includes a person who:

- 39 (1) is the auditor of a county that is a member of a multicounty
- 40 public defender's office described in section 3.5 of this chapter;
- 41 and
- 42 (2) is responsible for the receipt, disbursement, and accounting of



- 1 all monies distributed to the multicounty public defender's office.
- 2 (b) A county public defender board or the joint board of a
3 multicounty public defender's office shall submit a written request for
4 reimbursement to the county auditor. The request must set forth the
5 total of the county's or multicounty public defender's office's
6 expenditures for indigent defense services to the county auditor and
7 may be limited in a county described in section ~~1(3)~~ **1(5)** of this chapter
8 to expenditures for indigent defense services provided by a particular
9 division of a court. The county auditor shall review the request and
10 certify the total of the county's or multicounty's expenditures for
11 indigent defense services to the Indiana public defender commission.
- 12 (c) Upon certification by the Indiana public defender commission
13 that the county's multicounty public defender's office's indigent defense
14 services meet the commission's standards, the auditor of state shall
15 issue a warrant to the treasurer of state for disbursement to the county
16 of a sum equal to forty percent (40%) of the county's multicounty
17 public defender's office's certified expenditures for indigent defense
18 services provided in noncapital cases except misdemeanors.
- 19 (d) If a county's indigent defense services fail to meet the standards
20 adopted by the Indiana public defender commission, the public
21 defender commission shall notify the county public defender board or
22 the joint board of a multicounty public defender's office and the county
23 fiscal body of the failure to comply with the Indiana public defender
24 commission's standards. Unless the county or multicounty public
25 defender board corrects the deficiencies to comply with the standards
26 not more than ninety (90) days after the date of the notice, the county's
27 or multicounty's eligibility for reimbursement from the public defense
28 fund terminates at the close of that fiscal year.
- 29 SECTION 141. IC 35-38-2-1, AS AMENDED BY P.L.119-2012,
30 SECTION 166, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) Whenever it places a person
32 on probation, the court shall:
- 33 (1) specify in the record the conditions of the probation; and
34 (2) advise the person that if the person violates a condition of
35 probation during the probationary period, a petition to revoke
36 probation may be filed before the earlier of the following:
- 37 (A) One (1) year after the termination of probation.
38 (B) Forty-five (45) days after the state receives notice of the
39 violation.
- 40 (b) In addition, if the person was convicted of a felony and is placed
41 on probation, the court shall order the person to pay to the probation
42 department the user's fee prescribed under subsection (d). If the person



1 was convicted of a misdemeanor, the court may order the person to pay
2 the user's fee prescribed under subsection (e). The court may:

3 (1) modify the conditions (except a fee payment may only be
4 modified as provided in section 1.7(b) of this chapter); or

5 (2) terminate the probation;

6 at any time. If the person commits an additional crime, the court may
7 revoke the probation.

8 (c) If a clerk of a court collects a probation user's fee, the clerk:

9 (1) may keep not more than three percent (3%) of the fee to defray
10 the administrative costs of collecting the fee and shall deposit any
11 fee kept under this subsection in the clerk's record perpetuation
12 fund established under IC 33-37-5-2; and

13 (2) if requested to do so by the county auditor, city fiscal officer,
14 or town fiscal officer under clause (A), (B), or (C), may transfer
15 not more than three percent (3%) of the fee to the:

16 (A) county auditor, who shall deposit the money transferred
17 under this subdivision into the county general fund;

18 (B) city general fund when requested by the city fiscal officer;
19 or

20 (C) town general fund when requested by the town fiscal
21 officer.

22 (d) In addition to any other conditions of probation, the court shall
23 order each person convicted of a felony to pay:

24 (1) not less than twenty-five dollars (\$25) nor more than one
25 hundred dollars (\$100) as an initial probation user's fee;

26 (2) a monthly probation user's fee of not less than fifteen dollars
27 (\$15) nor more than thirty dollars (\$30) for each month that the
28 person remains on probation;

29 (3) the costs of the laboratory test or series of tests to detect and
30 confirm the presence of the human immunodeficiency virus (HIV)
31 antigen or antibodies to the human immunodeficiency virus (HIV)
32 if such tests are required by the court under section 2.3 of this
33 chapter;

34 (4) an alcohol abuse deterrent fee and a medical fee set by the
35 court under IC 9-30-9-8, if the court has referred the defendant to
36 an alcohol abuse deterrent program; and

37 (5) an administrative fee of one hundred dollars (\$100);

38 to either the probation department or the clerk.

39 (e) In addition to any other conditions of probation, the court may
40 order each person convicted of a misdemeanor to pay:

41 (1) not more than a fifty dollar (\$50) initial probation user's fee;

42 (2) a monthly probation user's fee of not less than ten dollars



1 (\$10) nor more than twenty dollars (\$20) for each month that the
2 person remains on probation;

3 (3) the costs of the laboratory test or series of tests to detect and
4 confirm the presence of the human immunodeficiency virus (HIV)
5 antigen or antibodies to the human immunodeficiency virus (HIV)
6 if such tests are required by the court under section 2.3 of this
7 chapter; and

8 (4) an administrative fee of fifty dollars (\$50);
9 to either the probation department or the clerk.

10 (f) The probation department or clerk shall collect the
11 administrative fees under subsections (d)(5) and (e)(4) before
12 collecting any other fee under subsection (d) or (e). All money
13 collected by the probation department or the clerk under this section
14 shall be transferred to the county treasurer, who shall deposit the
15 money into the county supplemental adult probation services fund. The
16 fiscal body of the county shall appropriate money from the county
17 supplemental adult probation services fund:

18 (1) to the county, superior, circuit, or municipal court of the
19 county that provides probation services to adults to supplement
20 adult probation services; and

21 (2) to supplement the salaries of probation officers in accordance
22 with the schedule adopted by the county fiscal body under
23 IC 36-2-16.5.

24 (g) The probation department or clerk shall collect the
25 administrative fee under subsection (e)(4) before collecting any other
26 fee under subsection (e). All money collected by the probation
27 department or the clerk of a city or town court under this section shall
28 be transferred to the fiscal officer of the city or town for deposit into
29 the local supplemental adult probation services fund. The fiscal body
30 of the city or town shall appropriate money from the local supplemental
31 adult probation services fund to the city or town court of the city or
32 town for the court's use in providing probation services to adults or for
33 the court's use for other purposes as may be appropriated by the fiscal
34 body. Money may be appropriated under this subsection only to those
35 city or town courts that have an adult probation services program. If a
36 city or town court does not have such a program, the money collected
37 by the probation department must be transferred and appropriated as
38 provided under subsection (f).

39 (h) Except as provided in subsection (j), the county or local
40 supplemental adult probation services fund may be used only to
41 supplement probation services and to supplement salaries for probation
42 officers. A supplemental probation services fund may not be used to



1 replace other funding of probation services. Any money remaining in
 2 the fund at the end of the year does not revert to any other fund but
 3 continues in the county or local supplemental adult probation services
 4 fund.

5 (i) A person placed on probation for more than one (1) crime:

6 (1) may be required to pay more than one (1) initial probation
 7 user's fee; and

8 (2) may not be required to pay more than one (1) monthly
 9 probation user's fee per month;

10 to the probation department or the clerk.

11 (j) This subsection applies to a city or town located in a county
 12 having a population of more than ~~one hundred eighty-five thousand~~
 13 ~~(185,000) but less than two hundred fifty thousand (250,000): two~~
 14 **hundred thousand (200,000) and less than two hundred fifty**
 15 **thousand (250,000)**. Any money remaining in the local supplemental
 16 adult probation services fund at the end of the local fiscal year may be
 17 appropriated by the city or town fiscal body to the city or town court for
 18 use by the court for purposes determined by the fiscal body.

19 (k) In addition to other methods of payment allowed by law, a
 20 probation department may accept payment of fees required under this
 21 section and section 1.5 of this chapter by credit card (as defined in
 22 IC 14-11-1-7). The liability for payment is not discharged until the
 23 probation department receives payment or credit from the institution
 24 responsible for making the payment or credit.

25 (l) The probation department may contract with a bank or credit
 26 card vendor for acceptance of bank or credit cards. However, if there
 27 is a vendor transaction charge or discount fee, whether billed to the
 28 probation department or charged directly to the probation department's
 29 account, the probation department may collect a credit card service fee
 30 from the person using the bank or credit card. The fee collected under
 31 this subsection is a permitted additional charge to the money the
 32 probation department is required to collect under subsection (d) or (e).

33 (m) The probation department shall forward the credit card service
 34 fees collected under subsection (l) to the county treasurer or city or
 35 town fiscal officer in accordance with subsection (f) or (g). These funds
 36 may be used without appropriation to pay the transaction charge or
 37 discount fee charged by the bank or credit card vendor.

38 SECTION 142. IC 36-1-11-3.2, AS AMENDED BY P.L.119-2012,
 39 SECTION 177, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE APRIL 1, 2022]: Sec. 3.2. (a) This section applies to a
 41 ~~city having a population of:~~ **the following cities:**

42 (1) ~~A city having a population of more than eighty thousand~~



- 1 (~~80,000~~) but less than eighty thousand four hundred (~~80,400~~);
- 2 **sixty-nine thousand (69,000) and less than sixty-nine thousand**
- 3 **five hundred (69,500).**
- 4 (2) **A city having a population of** more than ~~twenty-nine~~
- 5 ~~thousand six hundred (29,600)~~ but less than ~~twenty-nine thousand~~
- 6 ~~nine hundred (29,900); or twenty-six thousand (26,000) and less~~
- 7 **than twenty-eight thousand (28,000).**
- 8 (3) **A city having a population of** more than ~~eighty thousand five~~
- 9 ~~hundred (80,500) but less than one hundred thousand (100,000)-~~
- 10 **seventy-five thousand (75,000) and less than seventy-nine**
- 11 **thousand (79,000).**

12 (b) Notwithstanding section 3(c) of this chapter, the fiscal body of
13 a city must approve:

- 14 (1) every sale of real property having an appraised value of ten
- 15 thousand dollars (\$10,000) or more;
- 16 (2) every lease of real property for which the total annual rental
- 17 payments will be five thousand dollars (\$5,000) or more; and
- 18 (3) every transfer of real property under section 14 or 15 of this
- 19 chapter.

20 SECTION 143. IC 36-1-14-1.5, AS ADDED BY P.L.226-2013,
21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 APRIL 1, 2022]: Sec. 1.5. (a) This section applies to a municipality that
23 meets both of the following:

- 24 (1) The municipality has a municipally owned utility that has
- 25 donated funds of the municipally owned utility to a local
- 26 economic development organization before July 1, 2012.
- 27 (2) The municipality is a city having a population of more than
- 28 ~~eleven thousand (11,000) but less than eleven thousand four~~
- 29 ~~hundred fifty (11,450); **eleven thousand (11,000) and less than**~~
- 30 **eleven thousand nine hundred (11,900).**

31 (b) As used in this section, "local economic development
32 organization" includes the following:

- 33 (1) A nonprofit corporation established under state law whose
- 34 primary purpose is the promotion of industrial or business
- 35 development in Indiana, the retention or expansion of Indiana
- 36 businesses, or the development of entrepreneurial activities in
- 37 Indiana.
- 38 (2) A nonprofit educational organization whose primary purpose
- 39 is educating and developing local leadership for economic
- 40 development initiatives.
- 41 (3) Any similar organization, including a partnership between
- 42 private enterprise and one (1) or more units, the purposes of



- 1 which include:
- 2 (A) promoting development activities in one (1) or more units;
- 3 (B) coordinating local efforts to attract jobs and new business
- 4 investment;
- 5 (C) providing assistance to existing businesses to foster growth
- 6 and job retention; and
- 7 (D) sustaining and improving the quality of life in the units
- 8 served.
- 9 (c) A municipal legislative body, with the approval of the board (as
- 10 defined in IC 8-1.5-3-2) of the municipality's municipally owned utility,
- 11 may donate funds from the municipally owned utility's surplus earnings
- 12 (as defined in IC 8-1.5-3-11) to a local economic development
- 13 organization as long as the terms and conditions of any bond ordinance,
- 14 resolution, indenture, contract under IC 8-1-2.2, or similar instrument
- 15 binding upon the municipally owned utility are complied with before
- 16 the donation is made.
- 17 SECTION 144. IC 36-1.5-4-5, AS AMENDED BY P.L.233-2015,
- 18 SECTION 334, IS AMENDED TO READ AS FOLLOWS
- 19 [EFFECTIVE APRIL 1, 2022]: Sec. 5. ~~(a)~~ **Except as provided in**
- 20 **subsection (b)**; A reorganization approved under this chapter takes
- 21 effect when all of the following have occurred:
- 22 (1) The later of:
- 23 (A) the date that a copy of a joint certification from the county
- 24 election board in each county in which reorganizing political
- 25 subdivisions are located that indicates that:
- 26 (i) the reorganization has been approved by the voters of
- 27 each reorganizing political subdivision; or
- 28 (ii) in the case of a reorganization described in section
- 29 1(a)(7) or 1(a)(9) of this chapter, the reorganization has been
- 30 approved as set forth in section 32(b) or 32(c) of this
- 31 chapter;
- 32 is recorded as required by section 31 of this chapter; or
- 33 (B) the date specified in the finally adopted plan of
- 34 reorganization.
- 35 (2) The appointed or elected officers of the reorganized political
- 36 subdivision are elected (as prescribed by section 36 of this
- 37 chapter) or appointed and qualified, if:
- 38 (A) the reorganized political subdivision is a new political
- 39 subdivision and reorganizing political subdivisions are not
- 40 being consolidated into one (1) of the reorganizing political
- 41 subdivisions;
- 42 (B) the reorganized political subdivision will have different



1 boundaries than any of the reorganizing political subdivisions;
 2 (C) the reorganized political subdivision will have different
 3 appointment or election districts than any of the reorganizing
 4 political subdivisions; or
 5 (D) the finally adopted plan of reorganization requires new
 6 appointed or elected officers before the reorganization
 7 becomes effective.

8 ~~(b) A reorganization approved under this chapter may not take effect~~
 9 ~~during the year preceding a year in which a federal decennial census is~~
 10 ~~conducted. A consolidation that would otherwise take effect during the~~
 11 ~~year preceding a year in which a federal decennial census is conducted~~
 12 ~~takes effect January 1 of the year in which a federal decennial census~~
 13 ~~is conducted.~~

14 SECTION 145. IC 36-2-1-2, AS AMENDED BY P.L.113-2010,
 15 SECTION 113, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) If the resident voters in a
 17 specified territory in two (2) or more contiguous counties desire to
 18 change the boundaries of their respective counties, they may file a
 19 petition with the executives of their respective counties requesting that
 20 the territory be transferred. The petition must:

- 21 (1) be signed by at least the number of voters resident in the
- 22 territory requested to be transferred required to place a candidate
- 23 on the ballot under IC 3-8-6-3;
- 24 (2) contain a clear, distinct description of the requested boundary
- 25 change; and
- 26 (3) not propose to decrease the area of any county below four
- 27 hundred (400) square miles in compliance with Article 15,
- 28 Section 7 of the Constitution of the State of Indiana.

29 (b) Whenever a petition under subsection (a) is filed with a county
 30 executive, the executive shall determine, at its first meeting after the
 31 petition is filed:

- 32 (1) whether the signatures on the petition are genuine; and
- 33 (2) whether the petition complies with subsection (a).

34 (c) If the determinations under subsection (b) are affirmative, the
 35 executive shall certify the question to the county election board of each
 36 affected county. The county election boards shall jointly order a special
 37 election to be held, scheduling the election so that the election is held
 38 on the same date in each county interested in the change, but not later
 39 than thirty (30) days and not on the same date as a general election. The
 40 election shall be conducted under IC 3-10-8-6. All voters of each
 41 interested county are entitled to vote on the question. The question
 42 shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and



1 must state "Shall the boundaries of _____ County and
2 _____ County change?".

3 (d) After an election under subsection (c), the clerk of each county
4 shall make a certified copy of the election returns and not later than
5 five (5) days after the election file the copy with the auditor of the
6 county. The auditor shall, not later than five (5) days after the filing of
7 the returns in the auditor's office, make a true and complete copy of the
8 returns, certified under the auditor's hand and seal, and deposit the copy
9 with the auditor of every other county interested in the change.

10 (e) After copies have been filed under subsection (d), the auditor of
11 each county shall call a meeting of the executive of the county, which
12 shall examine the returns. If a majority of the voters of each interested
13 county voted in favor of change, the executive shall:

- 14 (1) enter an order declaring their boundaries to be changed as
15 described in the petition; and
16 (2) if the county has received territory from the transfer, adopt
17 revised descriptions of:

18 (A) county commissioner districts under IC 36-2-2-4; and

19 (B) county council districts under IC 36-2-3-4;

20 so that the transferred territory is assigned to at least one (1) county
21 commissioner district and at least one (1) county council district.

22 (f) The executive of each county shall file a copy of the order
23 described in subsection (e)(1) with:

- 24 (1) the office of the secretary of state; and
25 (2) the circuit court clerk of the county.

26 Except as provided in subsection (g); The transfer of territory becomes
27 effective when the last county order is filed under this subsection.

28 ~~(g) An order declaring county boundaries to be changed may not
29 take effect during the year preceding a year in which a federal
30 decennial census is conducted. An order that would otherwise take
31 effect during the year preceding a year in which a federal decennial
32 census is conducted takes effect January 1 of the year in which a
33 federal decennial census is conducted.~~

34 ~~(h) (g) An election under this section may be held only once every
35 three (3) years.~~

36 ~~(i) Notwithstanding subsection (g) as that subsection existed on
37 December 31, 2009; a boundary change that took effect January 2,
38 2010; because of the application of subsection (g); as that subsection
39 existed on December 31, 2009; is instead considered to take effect
40 January 1, 2010; without an amended order or any other additional
41 action being required.~~

42 SECTION 146. IC 36-2-2-4, AS AMENDED BY P.L.271-2013,

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1 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 4. (a) This subsection does not apply to a county
3 having a population of: **the following counties:**

4 (1) **A county having a population of** more than four hundred
5 thousand (400,000) ~~but and~~ less than seven hundred thousand
6 (700,000). ~~or~~

7 (2) **A county having a population of** more than ~~two hundred fifty~~
8 ~~thousand (250,000) but less than two hundred seventy thousand~~
9 ~~(270,000):~~ **two hundred fifty thousand (250,000) and less than**
10 **three hundred thousand (300,000).**

11 The executive shall divide the county into three (3) districts that are
12 composed of contiguous territory and are reasonably compact. The
13 district boundaries drawn by the executive must not cross precinct
14 boundary lines and must divide townships only when a division is
15 clearly necessary to accomplish redistricting under this section. If
16 necessary, the county auditor shall call a special meeting of the
17 executive to establish or revise districts.

18 (b) This subsection applies to a county having a population of more
19 than four hundred thousand (400,000) ~~but and~~ less than seven hundred
20 thousand (700,000). A county redistricting commission shall divide the
21 county into three (3) single-member districts that comply with
22 subsection (d). The commission is composed of:

23 (1) the members of the Indiana election commission;

24 (2) two (2) members of the senate selected by the president pro
25 tempore, one (1) from each political party; and

26 (3) two (2) members of the house of representatives selected by
27 the speaker, one (1) from each political party.

28 The legislative members of the commission have no vote and may act
29 only in an advisory capacity. A majority vote of the voting members is
30 required for the commission to take action. The commission may meet
31 as frequently as necessary to perform its duty under this subsection.
32 The commission's members serve without additional compensation
33 above that provided for them as members of the Indiana election
34 commission, the senate, or the house of representatives.

35 (c) This subsection applies to a county having a population of more
36 than ~~two hundred fifty thousand (250,000) but less than two hundred~~
37 ~~seventy thousand (270,000):~~ **two hundred fifty thousand (250,000)**
38 **and less than three hundred thousand (300,000).** The executive shall
39 divide the county into three (3) single-member districts that comply
40 with subsection (d).

41 (d) Single-member districts established under subsection (b) or (c)
42 must:

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1 (1) be compact, subject only to natural boundary lines (such as
 2 railroads, major highways, rivers, creeks, parks, and major
 3 industrial complexes);
 4 (2) contain, as nearly as is possible, equal population; and
 5 (3) not cross precinct lines.
 6 (e) Except as provided by subsection (g), a division under
 7 subsection (a), (b), or (c) shall be made:
 8 (1) during the first year after a year in which a federal decennial
 9 census is conducted; and
 10 (2) when the county adopts an order declaring a county boundary
 11 to be changed under IC 36-2-1-2.
 12 (f) A division under subsection (a), (b), or (c) may be made in any
 13 odd-numbered year not described in subsection (e).
 14 (g) This subsection applies during the first year after a year in which
 15 a federal decennial census is conducted. If the county executive or
 16 county redistricting commission determines that a division under
 17 subsection (e) is not required, the county executive or county
 18 redistricting commission shall adopt an ordinance recertifying that the
 19 districts as drawn comply with this section.
 20 (h) Each time there is a division under subsection (e) or (f) or a
 21 recertification under subsection (g), the county executive or county
 22 redistricting commission shall file with the circuit court clerk of the
 23 county, not later than thirty (30) days after the division or
 24 recertification occurs, a map of the district boundaries:
 25 (1) adopted under subsection (e) or (f); or
 26 (2) recertified under subsection (g).
 27 (i) The limitations set forth in this section are part of the ordinance,
 28 but do not have to be specifically set forth in the ordinance. The
 29 ordinance must be construed, if possible, to comply with this chapter.
 30 If a provision of the ordinance or an application of the ordinance
 31 violates this chapter, the invalidity does not affect the other provisions
 32 or applications of the ordinance that can be given effect without the
 33 invalid provision or application. The provisions of the ordinance are
 34 severable.
 35 (j) If a conflict exists between:
 36 (1) a map showing the boundaries of a district; and
 37 (2) a description of the boundaries of that district set forth in the
 38 ordinance;
 39 the district boundaries are the description of the boundaries set forth in
 40 the ordinance, not the boundaries shown on the map, to the extent there
 41 is a conflict between the description and the map.
 42 SECTION 147. IC 36-2-2-4.7, AS AMENDED BY P.L.22-2021,



1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 APRIL 1, 2022]: Sec. 4.7. (a) Except as provided in subsection (c),
3 whenever the executive divides the county into districts under section
4 4 of this chapter, the executive shall adopt an ordinance.

5 (b) The executive shall file a copy of an ordinance adopted under
6 subsection (a) with the circuit court clerk.

7 (c) This subsection applies to a county having a population of more
8 than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred~~
9 ~~seventy thousand (270,000)~~; **two hundred fifty thousand (250,000)**
10 **and less than three hundred thousand (300,000)**. Whenever the
11 executive divides the county into districts under section 4 of this
12 chapter, the executive shall adopt a resolution at two (2) separate
13 public meetings. The executive shall file a copy of the resolution
14 adopted under this subsection with the circuit court clerk.

15 SECTION 148. IC 36-2-2-5, AS AMENDED BY P.L.119-2012,
16 SECTION 180, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) To be eligible for election to
18 the executive, a person must meet the qualifications prescribed by
19 IC 3-8-1-21.

20 (b) A member of the executive must reside within:

- 21 (1) the county as provided in Article 6, Section 6 of the
22 Constitution of the State of Indiana; and
23 (2) the district from which the member was elected.

24 (c) If the person does not remain a resident of the county and district
25 after taking office, the person forfeits the office. The county fiscal body
26 shall declare the office vacant whenever a member of the executive
27 forfeits office under this subsection.

28 (d) In a county having a population of:

- 29 (1) more than four hundred thousand (400,000) ~~but and~~ less than
30 seven hundred thousand (700,000); or
31 (2) more than ~~two hundred fifty thousand (250,000)~~ but less than
32 ~~two hundred seventy thousand (270,000)~~; **two hundred fifty**
33 **thousand (250,000) and less than three hundred thousand**
34 **(300,000);**

35 one (1) member of the executive shall be elected by the voters of each
36 of the three (3) single-member districts established under section 4(b)
37 or 4(c) of this chapter. In other counties, all three (3) members of the
38 executive shall be elected by the voters of the whole county.

39 SECTION 149. IC 36-2-3-2, AS AMENDED BY P.L.119-2012,
40 SECTION 181, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) The seven (7) member
42 county council elected under this chapter is the county fiscal body. The



1 fiscal body shall act in the name of "The _____ County Council".

2 (b) Notwithstanding subsection (a), in a county having a population
3 of more than ~~two hundred fifty thousand (250,000)~~ but less than two
4 ~~hundred seventy thousand (270,000)~~, **two hundred fifty thousand**
5 **(250,000) and less than three hundred thousand (300,000)**, the
6 county council has nine (9) members.

7 SECTION 150. IC 36-2-3-4, AS AMENDED BY P.L.278-2019,
8 SECTION 186, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This subsection does not
10 apply to a county having a population of: **the following counties:**

11 (1) **A county having a population of** more than four hundred
12 thousand (400,000) ~~but and~~ less than seven hundred thousand
13 (700,000). ~~or~~

14 (2) **A county having a population of** more than ~~two hundred fifty~~
15 ~~thousand (250,000)~~ but less than ~~two hundred seventy thousand~~
16 ~~(270,000)~~: **two hundred fifty thousand (250,000) and less than**
17 **three hundred thousand (300,000).**

18 The county executive shall, by ordinance, divide the county into four
19 (4) contiguous, single-member districts that comply with subsection
20 (d). If necessary, the county auditor shall call a special meeting of the
21 executive to establish or revise districts. One (1) member of the fiscal
22 body shall be elected by the voters of each of the four (4) districts.
23 Three (3) at-large members of the fiscal body shall be elected by the
24 voters of the whole county.

25 (b) This subsection applies to a county having a population of more
26 than four hundred thousand (400,000) ~~but and~~ less than seven hundred
27 thousand (700,000). The county redistricting commission established
28 under IC 36-2-2-4 shall divide the county into seven (7) single-member
29 districts that comply with subsection (d). One (1) member of the fiscal
30 body shall be elected by the voters of each of these seven (7)
31 single-member districts.

32 (c) This subsection applies to a county having a population of more
33 than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred~~
34 ~~seventy thousand (270,000)~~: **two hundred fifty thousand (250,000)**
35 **and less than three hundred thousand (300,000)**. The fiscal body
36 shall divide the county into nine (9) single-member districts that
37 comply with subsection (d). Three (3) of these districts must be
38 contained within each of the three (3) districts established under
39 IC 36-2-2-4(c). One (1) member of the fiscal body shall be elected by
40 the voters of each of these nine (9) single-member districts.

41 (d) Single-member districts established under subsection (a), (b), or
42 (c) must:

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- 1 (1) be compact, subject only to natural boundary lines (such as
 2 railroads, major highways, rivers, creeks, parks, and major
 3 industrial complexes);
 4 (2) not cross precinct boundary lines;
 5 (3) contain, as nearly as possible, equal population; and
 6 (4) include whole townships, except when a division is clearly
 7 necessary to accomplish redistricting under this section.
- 8 (e) Except as provided by subsection (g), a division under
 9 subsection (a), (b), or (c) shall be made:
 10 (1) during the first year after a year in which a federal decennial
 11 census is conducted; and
 12 (2) when the county executive adopts an order declaring a county
 13 boundary to be changed under IC 36-2-1-2.
- 14 (f) A division under subsection (a), (b), or (c) may be made in any
 15 odd-numbered year not described in subsection (e).
- 16 (g) This subsection applies during the first year after a year in which
 17 a federal decennial census is conducted. If the county executive, county
 18 redistricting commission, or county fiscal body determines that a
 19 division under subsection (e) is not required, the county executive,
 20 county redistricting commission, or county fiscal body shall adopt an
 21 ordinance recertifying that the districts as drawn comply with this
 22 section.
- 23 (h) Each time there is a division under subsection (e) or (f) or a
 24 recertification under subsection (g), the county executive, county
 25 redistricting commission, or county fiscal body shall file with the
 26 circuit court clerk of the county, not later than thirty (30) days after the
 27 division or recertification occurs, a map of the district boundaries:
 28 (1) adopted under subsection (e) or (f); or
 29 (2) recertified under subsection (g).
- 30 (i) The limitations set forth in this section are part of the ordinance,
 31 but do not have to be specifically set forth in the ordinance. The
 32 ordinance must be construed, if possible, to comply with this chapter.
 33 If a provision of the ordinance or an application of the ordinance
 34 violates this chapter, the invalidity does not affect the other provisions
 35 or applications of the ordinance that can be given effect without the
 36 invalid provision or application. The provisions of the ordinance are
 37 severable.
- 38 (j) If a conflict exists between:
 39 (1) a map showing the boundaries of a district; and
 40 (2) a description of the boundaries of that district set forth in the
 41 ordinance;
 42 the district boundaries are the description of the boundaries set forth in



1 the ordinance, not the boundaries shown on the map, to the extent there
 2 is a conflict between the description and the map.

3 SECTION 151. IC 36-2-3.5-1, AS AMENDED BY P.L.119-2012,
 4 SECTION 183, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to **the**
 6 **following counties:**

- 7 (1) A county having a population of:
 8 (A) more than four hundred thousand (400,000) ~~but and~~ less
 9 than seven hundred thousand (700,000). ~~or~~
 10 (B) ~~more than two hundred fifty thousand (250,000) but less~~
 11 ~~than two hundred seventy thousand (270,000); and~~

12 **(2) A county having a population of more than two hundred**
 13 **fifty thousand (250,000) and less than three hundred thousand**
 14 **(300,000).**

15 ~~(2)~~ (3) Any other county not having a consolidated city, if both
 16 the county executive and the county fiscal body adopt identical
 17 ordinances providing for the county to be governed by this
 18 chapter beginning on a specified effective date.

19 SECTION 152. IC 36-3-2-7, AS AMENDED BY P.L.194-2021,
 20 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 APRIL 1, 2022]: Sec. 7. (a) This section governs the transfer of
 22 territory that is either:

- 23 (1) inside the corporate boundaries of the consolidated city and
 24 contiguous to an excluded city; or
 25 (2) inside the corporate boundaries of an excluded city and
 26 contiguous to the consolidated city.

27 IC 36-4-3 does not apply to such a transfer.

28 (b) If the owners of land located in territory described in subsection
 29 (a) want to have that territory transferred from one (1) municipality to
 30 the other, they must file:

- 31 (1) a petition for annexation of that territory with the legislative
 32 body of the contiguous municipality; and
 33 (2) a petition for disannexation of that territory with the legislative
 34 body of the municipality containing that territory.

35 Each petition must be signed by at least fifty-one percent (51%) of the
 36 owners of land in the territory sought to be transferred. The territory
 37 must be reasonably compact in configuration, and its boundaries must
 38 generally follow streets or natural boundaries.

39 (c) Each legislative body shall, not later than sixty (60) days after a
 40 petition is filed with it under subsection (b), either approve or
 41 disapprove the petition, with the following results:

- 42 (1) ~~Except as provided in subsection (b);~~ If both legislative bodies



- 1 approve, the transfer of territory takes effect:
- 2 (A) on the effective date of the approval of the latter
- 3 legislative body to act; and
- 4 (B) when a copy of each transfer approval has been filed under
- 5 subsection (f).
- 6 (2) If the legislative body of the contiguous municipality
- 7 disapproves or fails to act within the prescribed period, the
- 8 proceedings are terminated.
- 9 (3) If the legislative body of the contiguous municipality approves
- 10 but the legislative body of the other municipality disapproves or
- 11 fails to act within the prescribed period, the proceedings are
- 12 terminated unless there is an appeal under subsection (d).
- 13 (d) In the case described by subsection (c)(3), the petitioners may,
- 14 not later than sixty (60) days after the disapproval or expiration of the
- 15 prescribed period, appeal to the circuit court. The appeal must allege
- 16 that the benefits to be derived by the petitioners from the transfer
- 17 outweigh the detriments to the municipality that has failed to approve,
- 18 which is defendant in the appeal.
- 19 (e) The court shall try an appeal under subsection (d) as other civil
- 20 actions, but without a jury. If the court determines that:
- 21 (1) the requirements of this section have been met; and
- 22 (2) the benefits to be derived by the petitioners outweigh the
- 23 detriments to the municipality;
- 24 it shall order the transfer of territory to take effect on the date its order
- 25 becomes final ~~subject to subsection (h)~~; and shall file the order under
- 26 subsection (f). However, if the municipality, or a district of it, is
- 27 furnishing sanitary sewer service or municipal water service in the
- 28 territory, or otherwise has expended substantial sums for public
- 29 facilities (other than roads) specially benefiting the territory, the court
- 30 shall deny the transfer.
- 31 (f) A municipal legislative body that approves a transfer of territory
- 32 under subsection (c) or a court that approves a transfer under
- 33 subsection (e) shall file a copy of the approval or order, setting forth a
- 34 legal description of the territory to be transferred, with:
- 35 (1) the office of the secretary of state; and
- 36 (2) the circuit court clerk of each county in which the
- 37 municipality is located.
- 38 (g) Not later than ten (10) days after the second of the two (2)
- 39 approvals is filed under subsection (f), the municipality that annexes
- 40 the territory shall provide notice to the chairman of the alcohol and
- 41 tobacco commission as set forth in IC 7.1-4-9-7 of any retailer's or
- 42 dealer's premises located within the annexed territory.



1 (h) A transfer of territory under this section may not take effect
 2 during the year preceding a year in which a federal decennial census is
 3 conducted. A transfer of territory that would otherwise take effect
 4 during the year preceding a year in which a federal decennial census is
 5 conducted takes effect January 1 of the year in which a federal
 6 decennial census is conducted.

7 (i) A petition for annexation or disannexation under this section
 8 may not be filed with respect to land as to which a transfer of territory
 9 has been disapproved or denied within the preceding three (3) years.

10 (j) (i) The legislative body of a municipality annexing territory
 11 under this section shall assign the territory to at least one (1) municipal
 12 legislative body district under IC 36-3-4-3 or IC 36-4-6 not later than
 13 thirty (30) days after the transfer of territory becomes effective under
 14 this section.

15 (k) Notwithstanding subsection (h) as that subsection existed on
 16 December 31, 2009; a transfer of territory that took effect January 2,
 17 2010; because of the application of subsection (h); as that subsection
 18 existed on December 31, 2009; is instead considered to take effect
 19 January 1, 2010; without any additional action being required.

20 SECTION 153. IC 36-4-2-9, AS AMENDED BY P.L.113-2010,
 21 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) Except as provided in
 23 subsection (c); A merger approved under this chapter takes effect
 24 when:

25 (1) the officers of the new municipality are elected and qualified,
 26 as prescribed by section 13 of this chapter; and

27 (2) a copy of the agreement under section 2 of this chapter or the
 28 certified election results under section 7 of this chapter are filed
 29 with:

30 (A) the office of the secretary of state; and

31 (B) the circuit court clerk of each county in which the
 32 municipality is located.

33 (b) On the effective date of the merger, the merging municipalities
 34 cease to exist and are merged into a single municipality of the class
 35 created by the combined population of the merging municipalities. The
 36 new municipality shall be governed by the laws applicable to that class.

37 (c) A merger approved under this chapter may not take effect during
 38 the year preceding a year in which a federal decennial census is
 39 conducted. A merger that would otherwise take effect during the year
 40 preceding a year in which a federal decennial census is conducted takes
 41 effect January 1 of the year in which a federal decennial census is
 42 conducted.



1 (d) Notwithstanding subsection (c) as that subsection existed on
 2 December 31, 2009; a merger that took effect January 2, 2010; because
 3 of the application of subsection (c); as that subsection existed on
 4 December 31, 2009; is instead considered to take effect January 1,
 5 2010; without any additional action being required:

6 SECTION 154. IC 36-4-3-4, AS AMENDED BY P.L.38-2021,
 7 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 APRIL 1, 2022]: Sec. 4. (a) The legislative body of a municipality may,
 9 by ordinance, annex any of the following:

- 10 (1) Territory that is contiguous to the municipality.
 11 (2) Territory that is not contiguous to the municipality and is
 12 occupied by a municipally owned or operated as either of the
 13 following:
 14 (A) An airport or landing field.
 15 (B) A wastewater treatment facility or water treatment facility.
 16 After a municipality annexes territory under this clause, the
 17 municipality may annex additional territory to enlarge the
 18 territory for the use of the wastewater treatment facility or
 19 water treatment facility only if the county legislative body
 20 approves that use of the additional territory by ordinance.
 21 (3) Territory that is not contiguous to the municipality but is
 22 found by the legislative body to be occupied by:
 23 (A) a municipally owned or regulated sanitary landfill, golf
 24 course, or hospital;
 25 (B) a police station of the municipality; or
 26 (C) a solar electric generating facility that is or will be
 27 interconnected to an electric utility owned by the municipality.

28 However, if territory annexed under subdivision (2) or (3) ceases to be
 29 used for the purpose for which the territory was annexed for at least
 30 one (1) year, the territory reverts to the jurisdiction of the unit having
 31 jurisdiction before the annexation if the unit that had jurisdiction over
 32 the territory still exists. If the unit no longer exists, the territory reverts
 33 to the jurisdiction of the unit that would currently have jurisdiction over
 34 the territory if the annexation had not occurred. The clerk of the
 35 municipality shall notify the offices required to receive notice of a
 36 disannexation under section 19 of this chapter when the territory
 37 reverts to the jurisdiction of the unit having jurisdiction before the
 38 annexation. Territory that is annexed under subdivision (2) (including
 39 territory that is enlarged under subdivision (2)(B) for the use of the
 40 wastewater treatment facility or water treatment facility) or subdivision
 41 (3) may not be considered a part of the municipality for purposes of
 42 annexing additional territory.



1 (b) This subsection applies to municipalities in a county having any
 2 of the following populations: **counties:**

3 (1) **A county having a population of more than seventy thousand**
 4 **fifty (70,050) but less than seventy-one thousand (71,000):**
 5 **sixty-six thousand six hundred (66,600) and less than seventy**
 6 **thousand (70,000).**

7 (2) **A county having a population of more than seventy-five**
 8 **thousand (75,000) but less than seventy-seven thousand (77,000):**
 9 **eighty-two thousand (82,000) and less than eighty-three**
 10 **thousand (83,000).**

11 (3) **A county having a population of more than seventy-one**
 12 **thousand (71,000) but less than seventy-five thousand (75,000):**
 13 **eighty thousand four hundred (80,400) and less than**
 14 **eighty-two thousand (82,000).**

15 (4) **A county having a population of more than forty-seven**
 16 **thousand (47,000) but less than forty-seven thousand five hundred**
 17 **(47,500): forty-six thousand (46,000) and less than forty-six**
 18 **thousand four hundred (46,400).**

19 (5) **A county having a population of more than thirty-eight**
 20 **thousand five hundred (38,500) but less than thirty-nine thousand**
 21 **(39,000): thirty-seven thousand (37,000) and less than**
 22 **thirty-seven thousand nine hundred (37,900).**

23 (6) **A county having a population of more than thirty-seven**
 24 **thousand (37,000) but less than thirty-seven thousand one**
 25 **hundred twenty-five (37,125): thirty-six thousand five hundred**
 26 **(36,500) and less than thirty-six thousand seven hundred**
 27 **(36,700).**

28 (7) **A county having a population of more than thirty-three**
 29 **thousand three hundred (33,300) but less than thirty-three**
 30 **thousand five hundred (33,500): thirty-two thousand (32,000)**
 31 **and less than thirty-three thousand (33,000).**

32 (8) **A county having a population of more than twenty-three**
 33 **thousand three hundred (23,300) but less than twenty-four**
 34 **thousand (24,000): twenty-three thousand (23,000) and less**
 35 **than twenty-three thousand three hundred seventy-five**
 36 **(23,375).**

37 (9) **A county having a population of more than one hundred**
 38 **eighty-five thousand (185,000) but less than two hundred fifty**
 39 **thousand (250,000): two hundred thousand (200,000) and less**
 40 **than two hundred fifty thousand (250,000).**

41 (10) **A county having a population of more than two hundred**
 42 **fifty thousand (250,000) but less than two hundred seventy**



1 ~~thousand (270,000):~~ **two hundred fifty thousand (250,000) and**
 2 **less than three hundred thousand (300,000).**

3 (11) **A county having a population of** more than ~~thirty-two~~
 4 ~~thousand five hundred (32,500) but less than thirty-three thousand~~
 5 ~~(33,000):~~ **thirty thousand nine hundred (30,900) and less than**
 6 **thirty-two thousand (32,000).**

7 (12) **A county having a population of** more than ~~seventy-seven~~
 8 ~~thousand (77,000) but less than eighty thousand (80,000):~~ **eighty**
 9 **thousand (80,000) and less than eighty thousand four hundred**
 10 **(80,400).**

11 Except as provided in subsection (c), the legislative body of a
 12 municipality to which this subsection applies may, by ordinance, annex
 13 territory that is not contiguous to the municipality, has its entire area
 14 not more than two (2) miles from the municipality's boundary, is to be
 15 used for an industrial park containing one (1) or more businesses, and
 16 is either owned by the municipality or by a property owner who
 17 consents to the annexation. However, if territory annexed under this
 18 subsection is not used as an industrial park within five (5) years after
 19 the date of passage of the annexation ordinance, or if the territory
 20 ceases to be used as an industrial park for at least one (1) year, the
 21 territory reverts to the jurisdiction of the unit having jurisdiction before
 22 the annexation if the unit that had jurisdiction over the territory still
 23 exists. If the unit no longer exists, the territory reverts to the
 24 jurisdiction of the unit that would currently have jurisdiction over the
 25 territory if the annexation had not occurred. The clerk of the
 26 municipality shall notify the offices entitled to receive notice of a
 27 disannexation under section 19 of this chapter when the territory
 28 reverts to the jurisdiction of the unit having jurisdiction before the
 29 annexation.

30 (c) A city in a county with a population of more than ~~two hundred~~
 31 ~~fifty thousand (250,000) but less than two hundred seventy thousand~~
 32 ~~(270,000)~~ **two hundred fifty thousand (250,000) and less than three**
 33 **hundred thousand (300,000)** may not annex territory as prescribed in
 34 subsection (b) until the territory is zoned by the county for industrial
 35 purposes.

36 (d) Notwithstanding any other law, territory that is annexed under
 37 subsection (b) or (h) is not considered a part of the municipality for the
 38 purposes of:

39 (1) annexing additional territory:

40 (A) in a county that is not described by clause (B); or

41 (B) in a county having a population of more than ~~two hundred~~
 42 ~~fifty thousand (250,000) but less than two hundred seventy~~



- 1 ~~thousand (270,000);~~ **two hundred fifty thousand (250,000)**
 2 **and less than three hundred thousand (300,000)**, unless the
 3 boundaries of the noncontiguous territory become contiguous
 4 to the city, as allowed by Indiana law;
 5 (2) expanding the municipality's extraterritorial jurisdictional
 6 area; or
 7 (3) changing an assigned service area under IC 8-1-2.3-6(1).
 8 (e) As used in this section, "airport" and "landing field" have the
 9 meanings prescribed by IC 8-22-1.
 10 (f) As used in this section, "hospital" has the meaning prescribed by
 11 IC 16-18-2-179(b).
 12 (g) An ordinance adopted under this section must assign the
 13 territory annexed by the ordinance to at least one (1) municipal
 14 legislative body district.
 15 (h) This subsection applies to a city having a population of more
 16 than ~~twenty-nine thousand nine hundred (29,900) but less than~~
 17 ~~thirty-one thousand (31,000);~~ **twenty-eight thousand (28,000) and**
 18 **less than twenty-nine thousand (29,000)**. The city legislative body
 19 may, by ordinance, annex territory that:
 20 (1) is not contiguous to the city;
 21 (2) has its entire area not more than eight (8) miles from the city's
 22 boundary;
 23 (3) does not extend more than:
 24 (A) one and one-half (1 1/2) miles to the west;
 25 (B) three-fourths (3/4) mile to the east;
 26 (C) one-half (1/2) mile to the north; or
 27 (D) one-half (1/2) mile to the south;
 28 of an interchange of an interstate highway (as designated by the
 29 federal highway authorities) and a state highway (as designated
 30 by the state highway authorities); and
 31 (4) is owned by the city or by a property owner that consents to
 32 the annexation.
 33 (i) This subsection applies to a city having a population of more
 34 than ~~thirty-one thousand seven hundred twenty-five (31,725) but less~~
 35 ~~than thirty-five thousand (35,000) in a county having a population of~~
 36 ~~at least one hundred fifty thousand (150,000) but less than one hundred~~
 37 ~~seventy thousand (170,000);~~ **thirty-four thousand (34,000) and less**
 38 **than thirty-four thousand five hundred (34,500)**. The city legislative
 39 body may, by ordinance, annex territory under section 5.1 of this
 40 chapter:
 41 (1) that is not contiguous to the city;
 42 (2) that is south of the southernmost boundary of the city;



1 (3) the entire area of which is not more than four (4) miles from
2 the city's boundary; and

3 (4) that does not extend more than one (1) mile to the east of a
4 state highway (as designated by the state highway authorities).

5 Territory annexed under this subsection is not considered a part of the
6 city for purposes of annexation of additional territory. A city may not
7 require connection to a sewer installed to provide service to territory
8 annexed under this subsection.

9 SECTION 155. IC 36-4-3-7, AS AMENDED BY P.L.236-2019,
10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 APRIL 1, 2022]: Sec. 7. (a) After an ordinance is adopted under section
12 3, 4, 5, or 5.1 of this chapter, it must be published in the manner
13 prescribed by IC 5-3-1. Except as provided in subsection (b), (c), ~~(d)~~,
14 or ~~(f)~~; ~~(e)~~, in the absence of remonstrance and appeal under section 11
15 or 15.5 of this chapter, the ordinance takes effect at least ninety (90)
16 days after its publication and upon the filing required by section 22(a)
17 of this chapter.

18 ~~(b) An ordinance described in subsection (d) or adopted under~~
19 ~~section 3, 4, 5, or 5.1 of this chapter may not take effect during the year~~
20 ~~preceding a year in which a federal decennial census is conducted. An~~
21 ~~ordinance that would otherwise take effect during the year preceding~~
22 ~~a year in which a federal decennial census is conducted takes effect~~
23 ~~January 1 of the year in which a federal decennial census is conducted.~~

24 ~~(c) (b)~~ Subsections ~~(d)~~ and ~~(e)~~ ~~(c) and (d)~~ apply to fire protection
25 districts that are established after July 1, 1987, and to which subsection
26 ~~(g)~~ ~~(f)~~ does not apply. For the purposes of this section, territory that has
27 been:

28 (1) added to an existing fire protection district under
29 IC 36-8-11-11; or

30 (2) approved by ordinance of the county legislative body to be
31 added to an existing fire protection district under IC 36-8-11-11,
32 notwithstanding that the territory's addition to the fire protection
33 district has not yet taken effect;

34 shall be considered a part of the fire protection district as of the date
35 that the fire protection district was originally established.

36 ~~(d)~~ Except as provided in subsection ~~(b)~~; ~~(c)~~ Whenever a
37 municipality annexes territory, all or part of which lies within a fire
38 protection district (IC 36-8-11), the annexation ordinance (in the
39 absence of remonstrance and appeal under section 11 or 15.5 of this
40 chapter) takes effect the second January 1 that follows the date the
41 ordinance is adopted and upon the filing required by section 22(a) of
42 this chapter. Except in the case of an annexation to which subsection



1 ~~(g)~~ **(f)** applies, the municipality shall:
2 (1) provide fire protection to that territory beginning the date the
3 ordinance is effective; and
4 (2) send written notice to the fire protection district of the date the
5 municipality will begin to provide fire protection to the annexed
6 territory within ten (10) days of the date the ordinance is adopted.
7 ~~(e)~~ **(d)** If the fire protection district from which a municipality
8 annexes territory under subsection ~~(d)~~ **(c)** is indebted or has
9 outstanding unpaid bonds or other obligations at the time the
10 annexation is effective, the municipality is liable for and shall pay that
11 indebtedness in the same ratio as the assessed valuation of the property
12 in the annexed territory (that is part of the fire protection district) bears
13 to the assessed valuation of all property in the fire protection district,
14 as shown by the most recent assessment for taxation before the
15 annexation, unless the assessed property within the municipality is
16 already liable for the indebtedness. The annexing municipality shall
17 pay its indebtedness under this section to the board of fire trustees. If
18 the indebtedness consists of outstanding unpaid bonds or notes of the
19 fire protection district, the payments to the board of fire trustees shall
20 be made as the principal or interest on the bonds or notes becomes due.
21 ~~(f)~~ **(e)** This subsection applies to an annexation initiated by property
22 owners under section 5.1 of this chapter in which all property owners
23 within the area to be annexed petition the municipality to be annexed.
24 Subject to ~~subsections (b) and (d)~~, **subsection (c)**, and in the absence
25 of an appeal under section 15.5 of this chapter, an annexation
26 ordinance takes effect at least thirty (30) days after its publication and
27 upon the filing required by section 22(a) of this chapter.
28 ~~(g)~~ **(f)** Whenever a municipality annexes territory that lies within a
29 fire protection district that has a total net assessed value (as determined
30 by the county auditor) of more than one billion dollars
31 (\$1,000,000,000) on the date the annexation ordinance is adopted:
32 (1) the annexed area shall remain a part of the fire protection
33 district after the annexation takes effect; and
34 (2) the fire protection district shall continue to provide fire
35 protection services to the annexed area.
36 The municipality shall not tax the annexed territory for fire protection
37 services. The annexing municipality shall establish a special fire fund
38 for all fire protection services that are provided by the municipality
39 within the area of the municipality that is not within the fire protection
40 district, and which shall not be assessed to the annexed special taxing
41 district. The annexed territory that lies within the fire protection district
42 shall continue to be part of the fire protection district special taxing



1 district.

2 SECTION 156. IC 36-4-3-7.1, AS AMENDED BY P.L.257-2019,
 3 SECTION 111, IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE APRIL 1, 2022]: Sec. 7.1. ~~Notwithstanding section 7(b)~~
 5 ~~of this chapter~~, An ordinance adopted under section 4 or 5.1 of this
 6 chapter takes effect immediately upon the expiration of the
 7 remonstrance and appeal period under section 11, 11.1, or 15.5 of this
 8 chapter and after the publication, filing, and recording required by
 9 section 22(a) of this chapter if all of the following conditions are met:

- 10 (1) The annexed territory has no population.
 11 (2) Ninety percent (90%) of the total assessed value of the land
 12 for property tax purposes has one (1) owner.
 13 (3) The annexation is required to fulfill an economic development
 14 incentive package and to retain an industry through various local
 15 incentives, including urban enterprise zone benefits.

16 SECTION 157. IC 36-4-3-8.5, AS AMENDED BY P.L.119-2012,
 17 SECTION 187, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE APRIL 1, 2022]: Sec. 8.5. (a) A municipality may, in an
 19 ordinance adopted under section 3 or 4 of this chapter, abate a portion
 20 of the property tax liability under IC 6-1.1 for municipal purposes for
 21 all property owners in the annexed territory.

22 (b) An ordinance adopted under subsection (a) must provide the
 23 following:

- 24 (1) A tax abatement program that is in effect for not more than
 25 three (3) taxable years after an annexation occurs.
 26 (2) Except single family residential property described by
 27 subdivision (3), a tax abatement for all classes of property that
 28 does not exceed:
 29 (A) seventy-five percent (75%) of a taxpayer's liability in the
 30 first year of the abatement program;
 31 (B) fifty percent (50%) of a taxpayer's liability in the second
 32 year of the abatement program; and
 33 (C) twenty-five percent (25%) of a taxpayer's liability in the
 34 third year of the abatement program.
 35 (3) For a county having a population of more than ~~two hundred~~
 36 ~~fifty thousand (250,000)~~ but less than ~~two hundred seventy~~
 37 ~~thousand (270,000)~~; **two hundred fifty thousand (250,000) and**
 38 **less than three hundred thousand (300,000)**, a tax abatement
 39 for single family residential property that does not exceed:
 40 (A) ninety percent (90%) of a taxpayer's liability in the first
 41 year of the abatement program;
 42 (B) eighty percent (80%) of a taxpayer's liability in the second



- 1 year of the abatement program;
- 2 (C) sixty percent (60%) of a taxpayer's liability in the third
- 3 year of the abatement program;
- 4 (D) forty percent (40%) of a taxpayer's liability in the fourth
- 5 year of the abatement program; and
- 6 (E) twenty percent (20%) of a taxpayer's liability in the fifth
- 7 year of the abatement program.

8 (4) The procedure by which an eligible property owner receives
9 a tax abatement under this section.

10 SECTION 158. IC 36-4-3-12, AS AMENDED BY P.L.113-2010,
11 SECTION 117, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE APRIL 1, 2022]: Sec. 12. ~~(a)~~ The circuit or superior
13 court shall:

- 14 (1) on the date fixed under section 11 of this chapter, hear and
- 15 determine the remonstrance without a jury; and
- 16 (2) without delay, enter judgment on the question of the
- 17 annexation according to the evidence that either party may
- 18 introduce.

19 ~~(b) If the court enters judgment in favor of the annexation, the~~
20 ~~annexation may not take effect during the year preceding the year in~~
21 ~~which a federal decennial census is conducted. An annexation that~~
22 ~~would otherwise take effect during the year preceding a year in which~~
23 ~~a federal decennial census is conducted takes effect January 1 of the~~
24 ~~year in which a federal decennial census is conducted.~~

25 SECTION 159. IC 36-4-3-15.5, AS AMENDED BY P.L.207-2014,
26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 APRIL 1, 2022]: Sec. 15.5. (a) Except as provided in subsection (b):

- 28 (1) an owner of land within one-half (1/2) mile of territory
- 29 proposed to be annexed under this chapter; or
- 30 (2) a municipality located in the same county as the territory
- 31 proposed to be annexed;

32 may, not later than sixty (60) days after the publication of the
33 annexation ordinance, appeal that annexation to a circuit court or
34 superior court of a county in which the annexed territory is located. The
35 complaint must state that the reason the annexation should not take
36 place is that the territory sought to be annexed is not contiguous to the
37 annexing municipality.

38 (b) This subsection applies to an annexation initiated by property
39 owners under section 5.1 of this chapter in which all property owners
40 within the area to be annexed petition the municipality to be annexed.
41 Either of the following may appeal that annexation to a circuit court or
42 superior court of a county in which the annexed territory is located:



1 (1) An owner of land within one-half (1/2) mile of the territory
 2 proposed to be annexed under this chapter.
 3 (2) A municipality located in the same county as the territory
 4 proposed to be annexed.
 5 An appeal under this subsection must be filed not later than thirty (30)
 6 days after the publication of the annexation ordinance. The complaint
 7 must state that the reason the annexation should not take place is that
 8 the territory sought to be annexed is not contiguous to the annexing
 9 municipality.
 10 (c) Upon the determination of the court that the complaint is
 11 sufficient, the judge shall fix a time for a hearing to be held not later
 12 than sixty (60) days after the determination. Notice of the proceedings
 13 shall be served by summons upon the proper officers of the annexing
 14 municipality. The municipality shall become a defendant in the cause
 15 and be required to appear and answer. The judge of the circuit or
 16 superior court shall, upon the date fixed, proceed to hear and determine
 17 the appeal without a jury, and shall, without delay, give judgment upon
 18 the question of the annexation according to the evidence introduced by
 19 the parties. If the evidence establishes that the territory sought to be
 20 annexed is contiguous to the annexing municipality, the court shall
 21 deny the appeal and dismiss the proceeding. If the evidence does not
 22 establish the foregoing factor, the court shall issue an order to prevent
 23 the proposed annexation from taking effect. The laws providing for
 24 change of venue from the county do not apply, but changes of venue
 25 from the judge may be had. Costs follow judgment. Pending the appeal,
 26 and during the time within which the appeal may be taken, the territory
 27 sought to be annexed is not a part of the annexing municipality.
 28 (d) ~~If the court enters a judgment in favor of the municipality, the~~
 29 ~~annexation may not take effect during the year preceding a year in~~
 30 ~~which a federal decennial census is conducted. An annexation that~~
 31 ~~would otherwise take effect during the year preceding a year in which~~
 32 ~~a federal decennial census is conducted takes effect January 1 of the~~
 33 ~~year in which a federal decennial census is conducted.~~
 34 SECTION 160. IC 36-4-3-19, AS AMENDED BY P.L.38-2021,
 35 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 APRIL 1, 2022]: Sec. 19. (a) If disannexation is ordered under this
 37 chapter by the works board of a municipality and no appeal is taken,
 38 the clerk of the municipality shall, without compensation and not later
 39 than ten (10) days after the order is made, make and certify a complete
 40 transcript of the disannexation proceedings to the auditor of each
 41 county in which the disannexed lots or lands lie and to the office of the
 42 secretary of state. The county auditor shall list those lots or lands



1 appropriately for taxation. The proceedings of the works board shall not
 2 be certified to the county auditor or to the office of the secretary of
 3 state if an appeal to the circuit court has been taken.

4 (b) In all proceedings begun in or appealed to the circuit court, if
 5 vacation or disannexation is ordered, the clerk of the court shall
 6 immediately after the judgment of the court, or after a decision on
 7 appeal to the supreme court or court of appeals if the judgment on
 8 appeal is not reversed, certify the judgment of the circuit court, as
 9 affirmed or modified, to each of the following:

10 (1) The auditor of each county in which the lands or lots affected
 11 lie, on receipt of one dollar (\$1) for the making and certifying of
 12 the transcript from the petitioners for the disannexation.

13 (2) The office of the secretary of state.

14 (3) The circuit court clerk of each county in which the lands or
 15 lots affected are located.

16 (4) The county election board of each county in which the lands
 17 or lots affected are located.

18 (5) If a board of registration exists, the board of each county in
 19 which the lands or lots affected are located.

20 (6) The office of census data established by IC 2-5-1.1-12.2.

21 (c) The county auditor shall forward a list of lots or lands
 22 disannexed under this section to the following:

23 (1) The county highway department of each county in which the
 24 lands or lots affected are located.

25 (2) The county surveyor of each county in which the lands or lots
 26 affected are located.

27 (3) Each plan commission, if any, that lost or gained jurisdiction
 28 over the disannexed territory.

29 (4) The township trustee of each township that lost or gained
 30 jurisdiction over the disannexed territory.

31 (5) The sheriff of each county in which the lands or lots affected
 32 are located.

33 (6) The office of the secretary of state.

34 (7) The office of census data established by IC 2-5-1.1-12.2.

35 (8) The department of local government finance, not later than
 36 August 1, in the manner described by the department.

37 The county auditor may require the clerk of the municipality to furnish
 38 an adequate number of copies of the list of disannexed lots or lands or
 39 may charge the clerk a fee for photoreproduction of the list.

40 (d) A disannexation described by this section takes effect upon the
 41 clerk of the municipality filing the order with:

42 (1) the county auditor of each county in which the annexed



1 territory is located; and
 2 (2) the circuit court clerk, or if a board of registration exists, the
 3 board of each county in which the annexed territory is located.
 4 (e) The clerk of the municipality shall notify the office of the
 5 secretary of state and the office of census data established by
 6 IC 2-5-1.1-12.2 of the date a disannexation is effective under this
 7 chapter.
 8 (f) ~~A disannexation order under this chapter may not take effect~~
 9 ~~during the year preceding a year in which a federal decennial census is~~
 10 ~~conducted. A disannexation order that would otherwise take effect~~
 11 ~~during the year preceding a year in which a federal decennial census is~~
 12 ~~conducted takes effect January 1 of the year in which a federal~~
 13 ~~decennial census is conducted.~~
 14 SECTION 161. IC 36-4-3-23 IS REPEALED [EFFECTIVE APRIL
 15 1, 2022]. ~~Sec. 23. Notwithstanding sections 7, 12, 15.5, and 19 of this~~
 16 ~~chapter, as those sections existed on December 31, 2009, an annexation~~
 17 ~~or disannexation that took effect January 2, 2010, because of the~~
 18 ~~application of section 7(b), 12(b), 15.5(d), or 19(f) of this chapter, as~~
 19 ~~those sections existed on December 31, 2009, is instead considered to~~
 20 ~~take effect January 1, 2010, without the adoption of an amended~~
 21 ~~ordinance or the entry of an amended judgment or order under this~~
 22 ~~chapter.~~
 23 SECTION 162. IC 36-4-7-7 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 7. (a) The fiscal
 25 officer shall present the report of budget estimates to the city legislative
 26 body under IC 6-1.1-17. After reviewing the report, the legislative body
 27 shall prepare an ordinance fixing the rate of taxation for the ensuing
 28 budget year and an ordinance making appropriations for the estimated
 29 department budgets and other city purposes during the ensuing budget
 30 year. The legislative body, in the appropriation ordinance, may reduce
 31 any estimated item from the figure submitted in the report of the fiscal
 32 officer, but it may increase an item only if the executive recommends
 33 an increase. The legislative body shall promptly act on the
 34 appropriation ordinance.
 35 (b) In preparing the ordinances described in subsection (a) the
 36 legislative body shall make an allowance for the cost of fire protection
 37 to annexed territory described in ~~IC 36-4-3-7(d)~~, **IC 36-4-3-7(c)**, for
 38 the year fire protection is first offered to that territory.
 39 SECTION 163. IC 36-5-1-7.1, AS AMENDED BY P.L.147-2013,
 40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 APRIL 1, 2022]: Sec. 7.1. The petitioners ~~of in~~ a county having a
 42 population of more than ~~seventy thousand (70,000) but less than~~



1 ~~seventy thousand fifty (70,050)~~ **seventy-nine thousand (79,000) and**
 2 **less than eighty thousand (80,000)** are exempt from:

- 3 (1) the requirements of section 7(a) of this chapter; and
 4 (2) the requirements of section 7(b) of this chapter if the second
 5 or third class city is within a county containing a consolidated
 6 city.

7 SECTION 164. IC 36-5-1-10.1, AS AMENDED BY P.L.219-2013,
 8 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 APRIL 1, 2022]: Sec. 10.1. (a) If a majority of the voters voting on the
 10 public question under section 8 of this chapter vote "yes", the county
 11 executive shall adopt an ordinance incorporating the town.

12 (b) An ordinance adopted under subsection (a) must:

13 (1) either:

14 (A) provide that all members of the town legislative body are
 15 to be elected at large (if the town would have a population of
 16 less than three thousand five hundred (3,500); or

17 (B) divide the town into not less than three (3) nor more than
 18 seven (7) districts; and

19 (2) direct the county election board to conduct an election in the
 20 town on the date of the next general or municipal election to be
 21 held in any precincts in the county.

22 An election conducted under this section must comply with IC 3
 23 concerning town elections. If the date that an ordinance is adopted
 24 under this section is not later than June 1 of a general or municipal
 25 election year, the election must be conducted on the date of the next
 26 general or municipal election held in any precincts in the county after
 27 the election for which absentee balloting is being conducted. However,
 28 a primary election may not be conducted before an election conducted
 29 under this section, regardless of the population of the town.

30 (c) Districts established by an ordinance adopted under this section
 31 must comply with IC 3-11-1.5.

32 (d) If any territory in the town is not included in one (1) of the
 33 districts established under this section, the territory is included in the
 34 district that:

35 (1) is contiguous to that territory; and

36 (2) contains the least population of all districts contiguous to that
 37 territory.

38 (e) If any territory in the town is included in more than one (1) of the
 39 districts established under this section, the territory is included in the
 40 district that:

41 (1) is one (1) of the districts in which the territory is described in
 42 the ordinance adopted under this section;

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1 (2) is contiguous to that territory; and
 2 (3) contains the least population of all districts contiguous to that
 3 territory.
 4 (f) ~~Except as provided in subsection (g);~~ An ordinance adopted
 5 under this section becomes effective when filed with:
 6 (1) the office of the secretary of state; and
 7 (2) the circuit court clerk of each county in which the town is
 8 located.
 9 (g) ~~An ordinance incorporating a town under this section may not~~
 10 ~~take effect during the year preceding a year in which a federal~~
 11 ~~decennial census is conducted. An ordinance under this section that~~
 12 ~~would otherwise take effect during the year preceding a year in which~~
 13 ~~a federal decennial census is conducted takes effect January 1 of the~~
 14 ~~year in which a federal decennial census is conducted.~~
 15 (h) (g) Each county that contains a part of the proposed town must
 16 adopt identical ordinances providing for the incorporation of the town.
 17 (i) ~~Notwithstanding subsection (g) as that subsection existed on~~
 18 ~~December 31, 2009; an ordinance that took effect January 2, 2010;~~
 19 ~~because of the application of subsection (g); as that subsection existed~~
 20 ~~on December 31, 2009; is instead considered to take effect January 1,~~
 21 ~~2010; without the adoption of an ordinance or an amended ordinance~~
 22 ~~or any other additional action being required.~~
 23 SECTION 165. IC 36-5-1-18, AS AMENDED BY P.L.219-2013,
 24 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE APRIL 1, 2022]: Sec. 18. (a) If at least two-thirds (2/3)
 26 of the votes cast in an election under section 16 of this chapter are
 27 affirmative, the dissolution or change of name takes effect in the
 28 manner prescribed by this section.
 29 (b) A change of name takes effect thirty (30) days after the filing of
 30 the statement required by section 17 of this chapter.
 31 (c) ~~Except as provided in subsection (d);~~ A dissolution takes effect
 32 six (6) months after the filing of the statement required by section 17
 33 of this chapter. The property owned by the town after payment of debts
 34 and liabilities shall be disposed of in the manner chosen by a majority
 35 of the voters of the town at a special election for that purpose.
 36 Dissolution of a town does not affect the validity of a contract to which
 37 the town is a party.
 38 (d) ~~A dissolution under this chapter may not take effect during the~~
 39 ~~year preceding a year in which a federal decennial census is conducted.~~
 40 ~~A dissolution that would otherwise take effect during the year~~
 41 ~~preceding a year in which a federal decennial census is conducted takes~~
 42 ~~effect January 1 of the year in which a federal decennial census is~~



1 conducted.

2 ~~(e) Notwithstanding subsection (d) as that subsection existed on~~
 3 ~~December 31, 2009; a dissolution that took effect January 2, 2010;~~
 4 ~~because of the application of subsection (d); as that subsection existed~~
 5 ~~on December 31, 2009; is instead considered to take effect January 1,~~
 6 ~~2010; without any additional action being required.~~

7 SECTION 166. IC 36-5-1.1-9, AS AMENDED BY P.L.113-2010,
 8 SECTION 125, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) A person aggrieved by a
 10 decision made by the county executive under section 6 of this chapter
 11 may, within thirty (30) days, appeal that decision or result to the circuit
 12 court for the county containing more than fifty percent (50%) in
 13 assessed valuation of the land in the town. The appeal is instituted by
 14 giving written notice to the clerk of the circuit court and filing with the
 15 county executive a bond for five hundred dollars (\$500), with surety
 16 approved by the county executive. The bond must provide:

- 17 (1) that the appeal will be duly prosecuted; and
 18 (2) that the appellants will pay all costs if the appeal is decided
 19 against them.

20 (b) When an appeal is instituted, the county executive shall file with
 21 the clerk of the circuit court a transcript of all proceedings in the case,
 22 together with all papers filed in the case. The county executive may not
 23 take further action in the case until the appeal is heard and determined.

24 (c) An appeal under this section shall be heard by the circuit court
 25 without a jury. Change of venue from the judge may be granted, but
 26 change of venue from the county may not be granted. If the court orders
 27 the dissolution to take place, the circuit court clerk shall, immediately
 28 after the judgment of the court, certify the judgment of the circuit court
 29 to:

- 30 (1) the clerk of the municipality;
 31 (2) the circuit court clerk of any other county in which the town
 32 is located; and
 33 (3) the office of the secretary of state.

34 (d) ~~Except as provided in subsection (e);~~ The dissolution takes effect
 35 sixty (60) days after the order is certified.

36 ~~(e) A dissolution under this section may not take effect during the~~
 37 ~~year preceding a year in which a federal decennial census is conducted.~~
 38 ~~A dissolution under this section that would otherwise take effect during~~
 39 ~~the year preceding the year in which the federal decennial census is~~
 40 ~~conducted takes effect January 1 of the year in which a federal~~
 41 ~~decennial census is conducted.~~

42 (f) Notwithstanding subsection (e) as that subsection existed on



1 December 31, 2009; a dissolution that took effect January 2, 2010;
 2 because of the application of subsection (c); as that subsection existed
 3 on December 31, 2009, is instead considered to take effect January 1,
 4 2010, without any additional action being required.

5 SECTION 167. IC 36-5-1.1-10, AS AMENDED BY P.L.113-2010,
 6 SECTION 126, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE APRIL 1, 2022]: Sec. 10. (a) If the county executive
 8 approves dissolution under section 6 of this chapter, the county
 9 executive shall adopt:

10 (1) an ordinance; or

11 (2) an order in a county having a consolidated city;
 12 dissolving the town.

13 (b) ~~Except as provided in subsection (c);~~ A dissolution takes effect:

14 (1) at least sixty (60) days after the ordinance or order under
 15 subsection (a) is adopted; and

16 (2) when the county auditor files a copy of the ordinance or order
 17 with:

18 (A) the circuit court clerk of each county in which the town is
 19 located; and

20 (B) the office of the secretary of state.

21 (c) The property owned by the town after payment of debts and
 22 liabilities shall be disposed of by the county executive. Any proceeds
 23 remaining shall be deposited in the county general fund. Dissolution of
 24 a town does not affect the validity of a contract to which the town is a
 25 party.

26 (d) After dissolution, the books and records of the town become the
 27 property of the county executive for safekeeping.

28 (e) ~~A dissolution under this section may not take effect during the~~
 29 ~~year preceding a year in which a federal decennial census is conducted.~~
 30 ~~A dissolution under this section that would otherwise take effect during~~
 31 ~~the year preceding a year in which a federal decennial census is~~
 32 ~~conducted takes effect January 1 of the year in which a federal~~
 33 ~~decennial census is conducted.~~

34 (f) ~~Notwithstanding subsection (c) as that subsection existed on~~
 35 ~~December 31, 2009; a dissolution that took effect January 2, 2010;~~
 36 ~~because of the application of subsection (c); as that subsection existed~~
 37 ~~on December 31, 2009; is instead considered to take effect January 1;~~
 38 ~~2010; without any additional action being required.~~

39 SECTION 168. IC 36-5-1.1-10.5, AS AMENDED BY
 40 P.L.113-2010, SECTION 127, IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 10.5. (a) This section
 42 applies to the dissolution of an included town.



1 (b) The town legislative body may adopt a resolution to consider
 2 dissolution of the town under this section. The resolution must state the
 3 following:

4 (1) That the town legislative body conduct a public hearing at a
 5 stated date, place, and time concerning the dissolution of the
 6 town.

7 (2) That the town legislative body will hear all statements
 8 presented in favor of or in opposition to dissolution.

9 (3) That the town legislative body may adopt an ordinance to
 10 dissolve the town at the conclusion of the public hearing.

11 (c) The town clerk shall publish a notice of the public hearing in
 12 accordance with IC 5-3-1.

13 (d) The town legislative body may continue a public hearing under
 14 this section. If a hearing is continued, the clerk is not required to
 15 publish an additional notice under subsection (c).

16 (e) The town legislative body may adopt an ordinance following the
 17 conclusion of the public hearing under subsection (b). The town clerk
 18 shall file a copy of the ordinance with:

19 (1) the circuit court clerk of the county; and

20 (2) the office of the secretary of state.

21 (f) ~~Except as provided in subsection (g);~~ The ordinance dissolving
 22 the town takes effect:

23 (1) at least sixty (60) days after adoption; and

24 (2) when the ordinance is filed under subsection (e).

25 ~~(g) A dissolution under this section may not take effect during the~~
 26 ~~year preceding a year in which a federal decennial census is conducted.~~
 27 ~~A dissolution under this section that would otherwise take effect during~~
 28 ~~the year preceding a year in which the federal decennial census is~~
 29 ~~conducted takes effect January 1 of the year in which a federal~~
 30 ~~decennial census is conducted.~~

31 ~~(h)~~ (g) When an ordinance dissolving a town becomes effective:

32 (1) the territory included within the town when the ordinance was
 33 adopted becomes a part of the consolidated city;

34 (2) the books and records of the town become the property of the
 35 county executive;

36 (3) the property owned by the town after payment of debts and
 37 liabilities shall be disposed of by the county executive; and

38 (4) the county executive shall deposit any proceeds remaining
 39 after payment of debts and liabilities into the county general fund.

40 ~~(i)~~ (h) The dissolution of a town under this section does not affect
 41 the validity of a contract to which the town is a party.

42 ~~(j) Notwithstanding subsection (g) as that subsection existed on~~



1 December 31, 2009; a dissolution that took effect January 2, 2010;
 2 because of the application of subsection (g); as that subsection existed
 3 on December 31, 2009, is instead considered to take effect January 1,
 4 2010, without any additional action being required.

5 SECTION 169. IC 36-5-1.1-10.6, AS AMENDED BY
 6 P.L.113-2010, SECTION 128, IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 10.6. (a) This section
 8 applies to included towns.

9 (b) The dissolution of a town under this section may be instituted by
 10 filing a petition with the county board of registration. The petition must
 11 be signed by at least the number of the registered voters of the town
 12 required to place a candidate on the ballot under IC 3-8-6-3. The
 13 petition must be filed not later than June 1 of a year in which a general
 14 or municipal election will be held.

15 (c) If a petition meets the criteria set forth in subsection (b), the
 16 county board of registration shall certify the public question to the
 17 county election board under IC 3-10-9-3. The county election board
 18 shall place the question of dissolution on the ballot provided for voters
 19 in the included town at the first general or municipal election following
 20 certification. The question shall be placed on the ballot in the form
 21 prescribed by IC 3-10-9-4 and must state "Shall the town of _____
 22 dissolve?".

23 (d) If the public question is approved by a majority of the voters
 24 voting on the question, the county election board shall file a copy of the
 25 certification prepared under IC 3-12-4-9 concerning the public question
 26 described by this section with the following:

- 27 (1) The circuit court clerk of the county.
- 28 (2) The office of the secretary of state.

29 (e) Except as provided in subsection (f), Dissolution occurs:

- 30 (1) at least sixty (60) days after certification under IC 3-12-4-9;
- 31 and
- 32 (2) when the certification is filed under subsection (d).

33 ~~(f) A dissolution under this section may not take effect during the~~
 34 ~~year preceding a year in which a federal decennial census is conducted.~~
 35 ~~A dissolution under this section that would otherwise take effect during~~
 36 ~~the year preceding a year in which the federal decennial census is~~
 37 ~~conducted takes effect January 1 of the year in which a federal~~
 38 ~~decennial census is conducted.~~

39 ~~(g)~~ (f) When a town is dissolved under this section:

- 40 (1) the territory included within the town when the ordinance was
- 41 adopted becomes a part of the consolidated city;
- 42 (2) the books and records of the town become the property of the



- 1 county executive;
- 2 (3) the property owned by the town after payment of debts and
- 3 liabilities shall be disposed of by the county executive; and
- 4 (4) the county executive shall deposit any proceeds remaining
- 5 after payment of debts and liabilities into the county general fund.
- 6 ~~(h)~~ (g) The dissolution of a town under this section does not affect
- 7 the validity of a contract to which the town is a party.
- 8 ~~(i)~~ Notwithstanding subsection (f) as that subsection existed on
- 9 December 31, 2009; a dissolution that took effect January 2, 2010;
- 10 because of the application of subsection (f); as that subsection existed
- 11 on December 31, 2009; is instead considered to take effect January 1,
- 12 2010; without any additional action being required.
- 13 SECTION 170. IC 36-5-4-13, AS AMENDED BY P.L.119-2012,
- 14 SECTION 192, IS AMENDED TO READ AS FOLLOWS
- 15 [EFFECTIVE APRIL 1, 2022]: Sec. 13. (a) Except as provided in
- 16 subsection (c), this subsection applies to a town with a population of
- 17 five hundred (500) or less. Notwithstanding the provisions of any other
- 18 statute, a town may transfer money from any town fund to another town
- 19 fund after the passage of an ordinance or a resolution by the town
- 20 legislative body specifying the:
- 21 (1) amount of the transfer;
- 22 (2) funds involved;
- 23 (3) date of the transfer; and
- 24 (4) general purpose of the transfer.
- 25 (b) Except as provided in subsection (c), this subsection applies to
- 26 a town having a population of more than five hundred (500) but less
- 27 than two thousand (2,000). Notwithstanding IC 8-14-1 and IC 8-14-2,
- 28 a town may transfer money distributed to the town from:
- 29 (1) the motor vehicle highway account under IC 8-14-1;
- 30 (2) the local road and street account under IC 8-14-2; or
- 31 (3) the:
- 32 (A) motor vehicle highway account under IC 8-14-1; and
- 33 (B) local road and street account under IC 8-14-2;
- 34 to any other town fund after the passage of an ordinance or a resolution
- 35 by the town legislative body that specifies the amount of the transfer,
- 36 the funds involved, the date of the transfer, and the general purpose of
- 37 the transfer. However, the total amount of all money transferred by a
- 38 town under this subsection may not exceed forty thousand dollars
- 39 (\$40,000).
- 40 (c) A:
- 41 (1) municipality located in a county having a population of more
- 42 than fifteen thousand (15,000) but less than fifteen thousand five



1 ~~hundred (15,500);~~ **fifteen thousand four hundred fifty (15,450)**
 2 **and less than sixteen thousand (16,000);** and
 3 (2) town
 4 (A) located in a county having a population of more than
 5 thirty-seven thousand one hundred twenty-five (37,125) but
 6 less than thirty-seven thousand five hundred (37,500); and
 7 (B) having a population of less than one thousand (1,000);
 8 **having a population of less than one thousand (1,000)**
 9 **located in a county having a population of more than forty**
 10 **thousand (40,000) and less than forty-three thousand**
 11 **(43,000);**

12 may not transfer money under this section to or from a food and
 13 beverage tax receipts fund established under IC 6-9.

14 SECTION 171. IC 36-6-1-3, AS AMENDED BY P.L.113-2010,
 15 SECTION 129, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE APRIL 1, 2022]: Sec. 3. (a) When part of a township is
 17 owned by the state or the United States, devoted to a public use, and
 18 withdrawn from taxation for local purposes, and:

- 19 (1) less than eighteen (18) square miles of the township remains
 20 subject to taxation; or
- 21 (2) the township is divided into two (2) or more separate sections
 22 by the government owned part;

23 the county executive may issue an order to alter the boundaries of the
 24 township and adjoining townships on receipt of a petition signed by at
 25 least thirty-five percent (35%) of the resident freeholders of a part of
 26 the township adjoining another township.

27 (b) ~~Except as provided in subsection (c);~~ A boundary alteration
 28 under this section is effective when a copy of the order is filed with:

- 29 (1) the circuit court clerk; and
- 30 (2) the office of the secretary of state.

31 (c) ~~A boundary alteration under this section may not take effect~~
 32 ~~during the year preceding a year in which a federal decennial census is~~
 33 ~~conducted. A boundary alteration that would otherwise take effect~~
 34 ~~during the year preceding a year in which a federal decennial census is~~
 35 ~~conducted takes effect January 1 of the year in which a federal~~
 36 ~~decennial census is conducted.~~

37 (d) ~~Notwithstanding subsection (c) as that subsection existed on~~
 38 ~~December 31, 2009; a boundary alteration that took effect January 2,~~
 39 ~~2010; because of the application of subsection (c); as that subsection~~
 40 ~~existed on December 31, 2009; is instead considered to take effect~~
 41 ~~January 1, 2010; without any additional action being required.~~

42 SECTION 172. IC 36-6-1-5 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) Townships other
 2 than those described in section 3 of this chapter may be altered or
 3 abolished by the issuance of an order by the county executive on
 4 receipt of a petition signed by a majority of the freeholders of the
 5 affected township or townships. The alteration or abolition must
 6 conform to the terms of the petition.

7 (b) ~~Except as provided in subsection (c);~~ The alteration or abolition
 8 becomes effective when the county executive files a copy of the order
 9 with:

10 (1) the circuit court clerk; and

11 (2) the office of the secretary of state.

12 (c) ~~The alteration or abolition of a township may not take effect~~
 13 ~~during the year preceding a year in which a federal decennial census is~~
 14 ~~conducted. An alteration or abolition that would otherwise take effect~~
 15 ~~during the year preceding a year in which a federal decennial census is~~
 16 ~~conducted takes effect January 2 of the year in which a federal~~
 17 ~~decennial census is conducted.~~

18 SECTION 173. IC 36-6-1-5.5 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 5.5. (a) This section
 20 applies to an area that meets the following conditions:

21 (1) Contains not more than seven hundred (700) acres.

22 (2) Has a river along at least twenty-five percent (25%) of the
 23 perimeter of the area.

24 (3) Abuts a different township from the township in which the
 25 area is situated.

26 (b) An area is transferred from the township in which the area is
 27 situated to the township that the area abuts if the following conditions
 28 are met:

29 (1) The transfer results in a rectangular shape for the boundaries
 30 of both of the affected townships.

31 (2) A petition:

32 (A) containing a legal description of the area; and

33 (B) signed by at least fifty-one percent (51%) of the
 34 freeholders in the area;

35 is filed with the circuit court clerk and the office of the secretary
 36 of state.

37 (c) ~~Section 5(c) of this chapter applies to the alteration of township~~
 38 ~~boundaries under this section.~~

39 (d) ~~Except as provided in subsection (c);~~ (c) If the conditions
 40 specified in this section are met, the transfer occurs when the filing
 41 requirements of subsection (b) are met.

42 (e) ~~The transfer may not take effect during the year preceding a year~~



1 in which a federal decennial census is conducted. A transfer that would
 2 otherwise take effect during the year preceding a year in which a
 3 federal decennial census is conducted takes effect January 2 of the year
 4 in which a federal decennial census is conducted.

5 SECTION 174. IC 36-6-1-11 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 11. (a) An action
 7 taken by a county executive under this chapter may be appealed to the
 8 circuit court of the county. The appeal shall be heard de novo on all
 9 questions presented.

10 (b) If the court orders the name change, alteration, or abolition of a
 11 township to take place, the circuit court clerk shall, immediately after
 12 the judgment of the court, certify the judgment of the circuit court to:

- 13 (1) the township executive; and
- 14 (2) the office of the secretary of state.

15 Except as provided in subsection (c), The order takes effect sixty (60)
 16 days after certification.

17 (c) ~~The name change, alteration, or abolition of a township may not~~
 18 ~~take effect during the year preceding a year in which a federal~~
 19 ~~decennial census is conducted. An alteration or abolition that would~~
 20 ~~otherwise take effect during the year preceding a year in which a~~
 21 ~~federal decennial census is conducted takes effect January 2 of the year~~
 22 ~~in which a federal decennial census is conducted.~~

23 SECTION 175. IC 36-7-4-202, AS AMENDED BY P.L.119-2012,
 24 SECTION 193, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE APRIL 1, 2022]: Sec. 202. (a) ADVISORY. The
 26 legislative body of a county or municipality may establish by ordinance
 27 an advisory plan commission. In addition, in a county having a
 28 population of:

- 29 (1) more than ~~one hundred seventy-five thousand (175,000)~~ but
 30 less than ~~one hundred eighty-five thousand (185,000)~~; **one**
 31 **hundred eighty thousand (180,000)** and less than ~~one hundred~~
 32 ~~eighty-five thousand (185,000)~~; or
- 33 (2) more than ~~one hundred fifteen thousand (115,000)~~ but less
 34 than ~~one hundred twenty-five thousand (125,000)~~; **one hundred**
 35 **ten thousand (110,000)** and less than ~~one hundred twelve~~
 36 ~~thousand (112,000)~~;

37 the legislative bodies of that county and of the city having the largest
 38 population in that county may establish by identical ordinances a
 39 metropolitan plan commission as a department of county government.
 40 These ordinances must specify the legal name of the commission for
 41 purposes of section 404(a) of this chapter.

42 (b) AREA. There may be established in each county an area



1 planning department in the county government, having:

- 2 (1) an area plan commission;
- 3 (2) an area board of zoning appeals;
- 4 (3) an executive director; and
- 5 (4) such staff as the area plan commission considers necessary.

6 Each municipality and each county desiring to participate in the
7 establishment of a planning department may adopt an ordinance
8 adopting the area planning law, fix a date for the establishment of the
9 planning department, and provide for the appointment of its
10 representatives to the commission. When a municipality or a county
11 adopts such an ordinance, it shall certify a copy of the ordinance to
12 each legislative body within the county. When a county and at least one
13 (1) municipality within the county each adopt an ordinance adopting
14 the area planning law and fix a date for the establishment of the
15 department, the legislative body of the county shall establish the
16 planning department.

17 (c) METRO. A metropolitan development commission is
18 established in the department of metropolitan development of the
19 consolidated city. The legislative body of the consolidated city may
20 adopt ordinances to regulate the following:

- 21 (1) The time that the commission holds its meetings.
- 22 (2) The voting procedures of the commission.

23 SECTION 176. IC 36-7-4-918.6, AS AMENDED BY P.L.10-2015,
24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 APRIL 1, 2022]: Sec. 918.6. (a) This section applies to the following:

- 26 (1) A municipality in a county having a population of more than
27 four hundred thousand (400,000) ~~but~~ **and** less than seven hundred
28 thousand (700,000).
- 29 (2) A county having a population of more than ~~two hundred fifty~~
30 ~~thousand (250,000) but less than two hundred seventy thousand~~
31 ~~(270,000):~~ **two hundred fifty thousand (250,000) and less than**
32 **three hundred thousand (300,000).**

33 (b) ADVISORY–AREA. Notwithstanding sections 918.2, 918.4,
34 and 918.5 of this chapter, a zoning or subdivision control ordinance
35 shall require that the board of zoning appeals submit any of the
36 following petitions to the legislative body for approval or disapproval:

- 37 (1) Special exceptions.
- 38 (2) Special uses.
- 39 (3) Use variances.

40 (c) ADVISORY–AREA. The board of zoning appeals shall file a
41 petition under this section with the clerk of the legislative body with:

- 42 (1) a favorable recommendation;



- 1 (2) an unfavorable recommendation; or
- 2 (3) no recommendation.
- 3 (d) ADVISORY–AREA. The legislative body shall give notice
- 4 under IC 5-14-1.5-5 of its intention to consider the petition at its first
- 5 regular meeting after the board of zoning appeals files its
- 6 recommendation.
- 7 (e) ADVISORY–AREA. A petition is granted or denied when the
- 8 legislative body votes on the petition as follows:
- 9 (1) In a county described in subsection (a)(1), the legislative body
- 10 shall vote on the petition within ninety (90) days after the board
- 11 of zoning appeals makes its recommendation. If the legislative
- 12 body does not vote to deny the petition within ninety (90) days,
- 13 the petition is considered approved.
- 14 (2) In a county described in subsection (a)(2), the legislative body
- 15 shall vote on the petition within sixty (60) days after the board of
- 16 zoning appeals makes its recommendations. If the legislative body
- 17 does not vote to deny the petition within sixty (60) days, the
- 18 petition is approved.
- 19 (f) ADVISORY–AREA. If the legislative body approves a petition,
- 20 it must make the determination in writing as required under section
- 21 918.2, 918.4, or 918.5 of this chapter or as required by the zoning
- 22 ordinance.
- 23 SECTION 177. IC 36-7-4-1210.5, AS AMENDED BY
- 24 P.L.119-2012, SECTION 196, IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1210.5. (a)
- 26 ADVISORY. As used in this section, "municipality" refers to the most
- 27 populous municipality in the jurisdiction of the plan commission.
- 28 (b) ADVISORY. This section applies to a plan commission
- 29 operating under a joinder agreement in a **Hamilton** County.
- 30 (1) ~~having a population of more than two hundred seventy~~
- 31 ~~thousand (270,000) but less than three hundred thousand~~
- 32 ~~(300,000); and~~
- 33 (2) ~~containing:~~
- 34 (A) ~~a township having a population of more than thirty-two~~
- 35 ~~thousand (32,000) but less than fifty thousand (50,000); or~~
- 36 (B) ~~a township having a population of more than nine~~
- 37 ~~thousand (9,000) but less than fifteen thousand (15,000).~~
- 38 (c) ADVISORY. Notwithstanding section 1210 of this chapter, a
- 39 plan commission described in subsection (b) shall have nine (9)
- 40 members as follows:
- 41 (1) Four (4) members who are residents of the municipality, to be
- 42 appointed for four (4) year terms by the executive of the



- 1 municipality.
- 2 (2) Three (3) members who are residents of the municipality, to
- 3 be appointed for four (4) year terms by the legislative body of the
- 4 municipality.
- 5 (3) Two (2) members who are residents of the township, to be
- 6 appointed for four (4) year terms by the township executive with
- 7 the approval of the township legislative body.
- 8 (d) The joinder agreement expires if the municipality annexes the
- 9 entire area of a township described in subsection (b)(2): **either of the**
- 10 **following:**
- 11 **(1) Westfield Washington Township of Hamilton County.**
- 12 **(2) Jackson Township of Hamilton County.**
- 13 (e) A joinder agreement under this section may be terminated if:
- 14 (1) the municipality adopts an ordinance terminating the joinder
- 15 agreement;
- 16 (2) before adopting the ordinance under subdivision (1), the
- 17 municipality conducts a public hearing on the issue of terminating
- 18 the joinder agreement; and
- 19 (3) the executive of the municipality provides written notice to the
- 20 township executive of the township subject to the joinder
- 21 agreement that states the reason for the municipality's termination
- 22 of the joinder agreement.
- 23 SECTION 178. IC 36-7-5.1-11, AS AMENDED BY P.L.84-2016,
- 24 SECTION 179, IS AMENDED TO READ AS FOLLOWS
- 25 [EFFECTIVE APRIL 1, 2022]: Sec. 11. (a) Each member of the
- 26 commission must have:
- 27 (1) knowledge and experience regarding affairs in the joint
- 28 district;
- 29 (2) awareness of the social, economic, agricultural, and industrial
- 30 conditions of the joint district; and
- 31 (3) an interest in the development of the joint district.
- 32 (b) A challenge to the appointment of a member based on the
- 33 qualifications described in subsection (a) must be filed within thirty
- 34 (30) days after the appointment. The challenge may be filed in the
- 35 circuit court, superior court, or probate court of any county that
- 36 contains the entire joint district or any part of the joint district.
- 37 (c) Except as provided in subsection (d), a member must be a
- 38 resident of a county where a part of the joint district is located or reside
- 39 within ten (10) miles of the borders of the district.
- 40 (d) In a joint district that contains all or part of a county having a
- 41 population of more than ~~seventy-five thousand (75,000)~~ but less than
- 42 ~~seventy-seven thousand (77,000)~~; **eighty-two thousand (82,000) and**



1 **less than eighty-three thousand (83,000)**, two (2) of the members
 2 appointed by the legislative body of that county under section 9(1) of
 3 this chapter must, in addition to the requirements of subsections (a) and
 4 (b), be residents of any township that is entirely or partially located
 5 within the joint district.

6 SECTION 179. IC 36-7-7.5-1, AS AMENDED BY P.L.119-2012,
 7 SECTION 198, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a county
 9 ~~having the following population:~~ **the following counties:**

10 (1) ~~A county having a population of more than forty thousand~~
 11 ~~(40,000) but less than forty-two thousand (42,000):~~ **forty-three**
 12 **thousand five hundred (43,500) and less than forty-five**
 13 **thousand (45,000).**

14 (2) ~~A county having a population of more than nineteen~~
 15 ~~thousand five hundred (19,500) but less than twenty thousand~~
 16 ~~(20,000):~~ **nineteen thousand eight hundred fifty (19,850) and**
 17 **less than twenty thousand (20,000).**

18 (3) ~~A county having a population of more than ten thousand~~
 19 ~~seven hundred (10,700) but less than twelve thousand (12,000):~~
 20 **ten thousand (10,000) and less than twelve thousand (12,000).**

21 SECTION 180. IC 36-7-7.6-1, AS AMENDED BY P.L.119-2012,
 22 SECTION 199, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the area
 24 consisting of the following counties:

25 (1) ~~A county having a population of more than four hundred~~
 26 ~~thousand (400,000) but~~ **and** ~~less than seven hundred thousand~~
 27 ~~(700,000).~~

28 (2) ~~A county having a population of more than one hundred fifty~~
 29 ~~thousand (150,000) but less than one hundred seventy thousand~~
 30 ~~(170,000):~~ **one hundred seventy thousand (170,000) and less**
 31 **than one hundred seventy-four thousand (174,000).**

32 (3) ~~A county having a population of more than one hundred~~
 33 ~~eleven thousand (111,000) but less than one hundred fifteen~~
 34 ~~thousand (115,000):~~ **one hundred twelve thousand (112,000)**
 35 **and less than one hundred twenty thousand (120,000).**

36 SECTION 181. IC 36-7-7.7-2, AS ADDED BY P.L.83-2020,
 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 APRIL 1, 2022]: Sec. 2. The following definitions apply throughout
 39 this chapter:

- 40 (1) "Eligible political subdivision" means any of the following:
 41 (A) A county.
 42 (B) A municipality.



- 1 (C) An urban mass transportation system (as described in
2 IC 36-9-4).
- 3 (2) "Metropolitan planning area" of the MPO means the aggregate
4 geographic territory of the following political subdivisions:
- 5 (A) A county having a ~~population of more than seven hundred~~
6 ~~thousand (700,000):~~ **consolidated city.**
- 7 (B) All eligible political subdivisions in a county having a
8 ~~population of more than seven hundred thousand (700,000):~~
9 **consolidated city.**
- 10 (C) All counties immediately adjacent to a county having a
11 ~~population of more than seven hundred thousand (700,000):~~
12 **consolidated city.**
- 13 (D) All eligible political subdivisions in a county immediately
14 adjacent to a county having a ~~population of more than seven~~
15 ~~hundred thousand (700,000):~~ **consolidated city.**
- 16 (3) "MPO" means the Indianapolis metropolitan planning
17 organization established by section 3 of this chapter.
- 18 SECTION 182. IC 36-7-11-8.5, AS AMENDED BY P.L.119-2012,
19 SECTION 201, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE APRIL 1, 2022]: Sec. 8.5. (a) When submitting a map to
21 the legislative body under section 7 or 8 of this chapter, the
22 commission may declare one (1) or more buildings or structures that
23 are classified and designated as historic on the map to be under interim
24 protection.
- 25 (b) Not more than two (2) working days after declaring a building
26 or structure to be under interim protection under this section, the
27 commission shall, by personal delivery or first class mail, provide the
28 owner or occupant of the building or structure with a written notice of
29 the declaration. The written notice must:
- 30 (1) cite the authority of the commission to put the building or
31 structure under interim protection under this section;
- 32 (2) explain the effect of putting the building or structure under
33 interim protection; and
- 34 (3) indicate that the interim protection is temporary.
- 35 (c) A building or structure put under interim protection under
36 subsection (a) remains under interim protection until:
- 37 (1) in a county other than a county described in subdivision (2),
38 the map is:
- 39 (A) submitted to; and
- 40 (B) approved in an ordinance or rejected by;
41 the legislative body of the unit; or
- 42 (2) in a county having a population of more than ~~two hundred fifty~~



- 1 thousand (250,000) but less than two hundred seventy thousand
- 2 (~~270,000~~); **two hundred fifty thousand (250,000) and less than**
- 3 **three hundred thousand (300,000)**, the earlier of:
- 4 (A) thirty (30) days after the building or structure is declared
- 5 to be under interim protection; or
- 6 (B) the date the map is:
- 7 (i) submitted to; and
- 8 (ii) approved in an ordinance or rejected by;
- 9 the legislative body of the unit.
- 10 (d) While a building or structure is under interim protection under
- 11 this section:
- 12 (1) the building or structure may not be demolished or moved;
- 13 and
- 14 (2) the exterior appearance of the building or structure may not be
- 15 conspicuously changed by:
- 16 (A) addition;
- 17 (B) reconstruction; or
- 18 (C) alteration.

19 SECTION 183. IC 36-7-11-22, AS AMENDED BY P.L.119-2012,
 20 SECTION 202, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE APRIL 1, 2022]: Sec. 22. (a) This section applies only
 22 to a county having a population of more than ~~two hundred fifty~~
 23 ~~thousand (250,000) but less than two hundred seventy thousand~~
 24 ~~(270,000)~~; **two hundred fifty thousand (250,000) and less than three**
 25 **hundred thousand (300,000).**

26 (b) Notwithstanding any other provision, in the case of a building or
 27 structure owned by a political subdivision that is classified by a
 28 commission as historic and for which the classification is approved by
 29 the legislative body of the unit that established the commission, the
 30 commission may remove the historic classification of the building or
 31 structure without the adoption of an ordinance by the legislative body
 32 of the unit if the commission determines that removal of the
 33 classification is in the best interest of the unit and the political
 34 subdivision.

35 SECTION 184. IC 36-7-13-10, AS AMENDED BY P.L.119-2012,
 36 SECTION 203, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE APRIL 1, 2022]: Sec. 10. (a) After approval by
 38 ordinance or resolution of the legislative body of a municipality located
 39 in a county having a population of:

- 40 (1) more than ~~one hundred thirty-five thousand (135,000) but less~~
- 41 ~~than one hundred thirty-eight thousand (138,000)~~; **one hundred**
- 42 **thirty-nine thousand (139,000) and less than one hundred**



1 **sixty thousand (160,000);**

2 ~~(2) more than two hundred fifty thousand (250,000) but less than~~
 3 ~~two hundred seventy thousand (270,000);~~ **two hundred fifty**
 4 **thousand (250,000) and less than three hundred thousand**
 5 **(300,000); or**

6 ~~(3) more than three hundred thousand (300,000) but less than four~~
 7 ~~hundred thousand (400,000);~~ **three hundred fifty thousand**
 8 **(350,000) and less than four hundred thousand (400,000);**

9 the executive of the municipality may submit an application to an
 10 advisory commission on industrial development requesting that an area
 11 within the municipality be designated as a district.

12 (b) After approval by ordinance or resolution of the legislative body
 13 of a county, the executive of the county may submit an application to
 14 an advisory commission on industrial development requesting that an
 15 area within the county, but not within a municipality, be designated as
 16 a district. However, in a county having a population of more than ~~one~~
 17 ~~hundred fifteen thousand (115,000) but less than one hundred~~
 18 ~~twenty-five thousand (125,000);~~ **one hundred ten thousand (110,000)**
 19 **and less than one hundred twelve thousand (112,000),** the legislative
 20 body of the county may request that an area within the county be
 21 designated as a district even if the area is within a municipality.

22 SECTION 185. IC 36-7-13-10.7, AS AMENDED BY P.L. 119-2012,
 23 SECTION 204, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE APRIL 1, 2022]: Sec. 10.7. (a) This section applies to a
 25 district designated under section 10.5 of this chapter and approved by
 26 the budget agency before January 1, 2002, in a city having a population
 27 of more than ~~twenty-nine thousand nine hundred (29,900) but less than~~
 28 ~~thirty-one thousand (31,000);~~ **twenty-eight thousand (28,000) and**
 29 **less than twenty-nine thousand (29,000).**

30 (b) An area is added to and becomes part of a district described in
 31 subsection (a) if the area consists of property that:

32 (1) is located in a city having a population of more than
 33 ~~twenty-nine thousand nine hundred (29,900) but less than~~
 34 ~~thirty-one thousand (31,000);~~ **twenty-eight thousand (28,000)**
 35 **and less than twenty-nine thousand (29,000); and**

36 (2) experienced a loss of at least three hundred (300) jobs during
 37 the calendar year ending December 31, 2001.

38 (c) After the addition of property to a district described in
 39 subsection (a) under this section, the gross retail base period amount
 40 determined under section 2.4 of this chapter for the district before the
 41 addition of the property to the district under this section shall be
 42 increased by an amount equal to:



- 1 (1) the aggregate amount of state gross retail and use taxes
- 2 remitted:
- 3 (A) under IC 6-2.5 by the businesses operating in the area
- 4 added to the district under subsection (b); and
- 5 (B) during the period beginning after December 31, 2001, and
- 6 ending before February 1, 2002; multiplied by
- 7 (2) twelve (12).
- 8 (d) After the addition of property to a district described in
- 9 subsection (a) under this section, the income tax base period amount
- 10 determined under section 3.2 of this chapter for the district before the
- 11 addition of the property to the district under this section shall be
- 12 increased by an amount equal to:
- 13 (1) the aggregate amount of state and local income taxes paid:
- 14 (A) by employees employed in the area added to the district
- 15 under subsection (b) with respect to wages and salary earned
- 16 for work in the area added; and
- 17 (B) during the period beginning after December 31, 2001, and
- 18 ending before February 1, 2002; multiplied by
- 19 (2) twelve (12).
- 20 (e) The addition of property to a district under this section does not
- 21 require adoption of an ordinance, review by the budget committee, or
- 22 approval of the budget agency under section 10.5 of this chapter.
- 23 SECTION 186. IC 36-7-13-12, AS AMENDED BY P.L.119-2012,
- 24 SECTION 205, IS AMENDED TO READ AS FOLLOWS
- 25 [EFFECTIVE APRIL 1, 2022]: Sec. 12. (a) If a municipal or county
- 26 executive has submitted an application to an advisory commission on
- 27 industrial development requesting that an area be designated as a
- 28 district under this chapter and the advisory commission has compiled
- 29 and prepared the information required under section 11 of this chapter
- 30 concerning the area, the advisory commission may adopt a resolution
- 31 designating the area as a district if it makes the findings described in
- 32 subsection (b), (c), (d), or (e). In a county described in subsection (c),
- 33 an advisory commission may designate more than one (1) district under
- 34 subsection (c).
- 35 (b) For an area located in a county having a population of more than
- 36 ~~one hundred thirty-five thousand (135,000)~~ but less than ~~one hundred~~
- 37 ~~thirty-eight thousand (138,000)~~; **one hundred thirty-nine thousand**
- 38 **(139,000) and less than one hundred sixty thousand (160,000)**, an
- 39 advisory commission may adopt a resolution designating a particular
- 40 area as a district only after finding all of the following:
- 41 (1) The area contains a building or buildings:
- 42 (A) with at least one million (1,000,000) square feet of usable



- 1 interior floor space; and
 2 (B) that is or are vacant or will become vacant due to the
 3 relocation of an employer.
 4 (2) At least one thousand (1,000) fewer persons are employed in
 5 the area than were employed in the area during the year that is ten
 6 (10) years previous to the current year.
 7 (3) There are significant obstacles to redevelopment of the area
 8 due to any of the following problems:
 9 (A) Obsolete or inefficient buildings.
 10 (B) Aging infrastructure or inefficient utility services.
 11 (C) Utility relocation requirements.
 12 (D) Transportation or access problems.
 13 (E) Topographical obstacles to redevelopment.
 14 (F) Environmental contamination.
 15 (4) The unit has expended, appropriated, pooled, set aside, or
 16 pledged at least one hundred thousand dollars (\$100,000) for
 17 purposes of addressing the redevelopment obstacles described in
 18 subdivision (3).
 19 (5) The area is located in a county having a population of more
 20 than ~~one hundred thirty-five thousand (135,000) but less than one~~
 21 ~~hundred thirty-eight thousand (138,000):~~ **one hundred**
 22 **thirty-nine thousand (139,000) and less than one hundred**
 23 **sixty thousand (160,000).**
 24 (c) For a county having a population of more than ~~one hundred~~
 25 ~~fifteen thousand (115,000) but less than one hundred twenty-five~~
 26 ~~thousand (125,000);~~ **one hundred ten thousand (110,000) and less**
 27 **than one hundred twelve thousand (112,000),** an advisory
 28 commission may adopt a resolution designating not more than three (3)
 29 areas as districts. An advisory commission may designate an area as a
 30 district only after finding the following:
 31 (1) The area meets at least one (1) of the following conditions:
 32 (A) The area meets the following conditions:
 33 (i) The area contains a building with at least seven hundred
 34 ninety thousand (790,000) square feet.
 35 (ii) At least eight hundred (800) fewer people are employed
 36 in the area than were employed in the area during the year
 37 that is fifteen (15) years previous to the current year.
 38 (iii) The area is located in or is adjacent to an industrial
 39 park.
 40 (B) The area meets the following conditions:
 41 (i) The area contains a building with at least three hundred
 42 eighty-six thousand (386,000) square feet.



- 1 (ii) At least four hundred (400) fewer people are employed
 2 in the area than were employed in the area during the year
 3 that is fifteen (15) years previous to the current year.
 4 (iii) The area is located in or is adjacent to an industrial
 5 park.
 6 (C) The area meets the following conditions:
 7 (i) The area contains a building with at least one million
 8 (1,000,000) square feet.
 9 (ii) At least seven hundred (700) fewer people are employed
 10 in the area than were employed in the area on January 1,
 11 2008.
 12 (2) There are significant obstacles to redevelopment of the area
 13 due to any of the following problems:
 14 (A) Obsolete or inefficient buildings.
 15 (B) Aging infrastructure or inefficient utility services.
 16 (C) Utility relocation requirements.
 17 (D) Transportation or access problems.
 18 (E) Topographical obstacles to redevelopment.
 19 (F) Environmental contamination.
 20 (3) The area is located in a county having a population of more
 21 than ~~one hundred fifteen thousand (115,000)~~ but less than one
 22 ~~hundred twenty-five thousand (125,000)~~; **one hundred ten**
 23 **thousand (110,000) and less than one hundred twelve**
 24 **thousand (112,000).**
 25 (d) For an area located in a county having a population of more than
 26 ~~two hundred fifty thousand (250,000)~~ but less than two hundred
 27 ~~seventy thousand (270,000)~~; **two hundred fifty thousand (250,000)**
 28 **and less than three hundred thousand (300,000)**, an advisory
 29 commission may adopt a resolution designating a particular area as a
 30 district only after finding all of the following:
 31 (1) The area contains a building or buildings:
 32 (A) with at least one million five hundred thousand
 33 (1,500,000) square feet of usable interior floor space; and
 34 (B) that is or are vacant or will become vacant.
 35 (2) At least eighteen thousand (18,000) fewer persons are
 36 employed in the area at the time of application than were
 37 employed in the area before the time of application.
 38 (3) There are significant obstacles to redevelopment of the area
 39 due to any of the following problems:
 40 (A) Obsolete or inefficient buildings.
 41 (B) Aging infrastructure or inefficient utility services.
 42 (C) Utility relocation requirements.



- 1 (D) Transportation or access problems.
 2 (E) Topographical obstacles to redevelopment.
 3 (F) Environmental contamination.
 4 (4) The unit has expended, appropriated, pooled, set aside, or
 5 pledged at least one hundred thousand dollars (\$100,000) for
 6 purposes of addressing the redevelopment obstacles described in
 7 subdivision (3).
 8 (5) The area is located in a county having a population of more
 9 than ~~two hundred fifty thousand (250,000)~~ but less than two
 10 ~~hundred seventy thousand (270,000)~~; **two hundred fifty**
 11 **thousand (250,000) and less than three hundred thousand**
 12 **(300,000).**
 13 (e) For an area located in a county having a population of more than
 14 ~~three hundred thousand (300,000)~~ but less than four hundred thousand
 15 ~~(400,000)~~; **three hundred fifty thousand (350,000) and less than**
 16 **four hundred thousand (400,000)**, an advisory commission may adopt
 17 a resolution designating a particular area as a district only after finding
 18 all of the following:
 19 (1) The area contains a building or buildings:
 20 (A) with at least eight hundred thousand (800,000) gross
 21 square feet; and
 22 (B) having leasable floor space, at least fifty percent (50%) of
 23 which is or will become vacant.
 24 (2) There are significant obstacles to redevelopment of the area
 25 due to any of the following problems:
 26 (A) Obsolete or inefficient buildings as evidenced by a decline
 27 of at least seventy-five percent (75%) in their assessed
 28 valuation during the preceding ten (10) years.
 29 (B) Transportation or access problems.
 30 (C) Environmental contamination.
 31 (3) At least four hundred (400) fewer persons are employed in the
 32 area than were employed in the area during the year that is fifteen
 33 (15) years previous to the current year.
 34 (4) The area has been designated as an economic development
 35 target area under IC 6-1.1-12.1-7.
 36 (5) The unit has appropriated, pooled, set aside, or pledged at
 37 least two hundred fifty thousand dollars (\$250,000) for purposes
 38 of addressing the redevelopment obstacles described in
 39 subdivision (2).
 40 (6) The area is located in a county having a population of more
 41 than ~~three hundred thousand (300,000)~~ but less than four hundred
 42 ~~thousand (400,000)~~; **three hundred fifty thousand (350,000)**



1 **and less than four hundred thousand (400,000).**

2 (f) The advisory commission, or the county or municipal legislative
3 body, in the case of a district designated under section 10.5 of this
4 chapter, shall designate the duration of the district. However, a district
5 must terminate not later than fifteen (15) years after the income tax
6 incremental amount or gross retail incremental amount is first allocated
7 to the district.

8 (g) Upon adoption of a resolution designating a district, the advisory
9 commission shall:

10 (1) publish notice of the adoption and substance of the resolution
11 in accordance with IC 5-3-1; and

12 (2) file the following information with each taxing unit in the
13 county where the district is located:

14 (A) A copy of the notice required by subdivision (1).

15 (B) A statement disclosing the impact of the district, including
16 the following:

17 (i) The estimated economic benefits and costs incurred by
18 the district, as measured by increased employment and
19 anticipated growth of property assessed values.

20 (ii) The anticipated impact on tax revenues of each taxing
21 unit.

22 The notice must state the general boundaries of the district.

23 (h) Upon completion of the actions required by subsection (g), the
24 advisory commission shall submit the resolution to the budget
25 committee for review and recommendation to the budget agency. If the
26 budget agency fails to take action on a resolution designating a district
27 within one hundred twenty (120) days after the date that the resolution
28 is submitted to the budget committee, the designation of the district by
29 the resolution is considered approved.

30 (i) When considering a resolution, the budget committee and the
31 budget agency must make the following findings:

32 (1) The area to be designated as a district meets the conditions
33 necessary for designation as a district.

34 (2) The designation of the district will benefit the people of
35 Indiana by protecting or increasing state and local tax bases and
36 tax revenues for at least the duration of the district.

37 (j) The income tax incremental amount and the gross retail
38 incremental amount may not be allocated to the district until the
39 resolution is approved under this section.

40 SECTION 187. IC 36-7-14-15.5, AS AMENDED BY P.L. 119-2012,
41 SECTION 206, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE APRIL 1, 2022]: Sec. 15.5. (a) This section applies to a

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1 county having a population of more than ~~two hundred fifty thousand~~
 2 ~~(250,000) but less than two hundred seventy thousand (270,000): two~~
 3 **hundred fifty thousand (250,000) and less than three hundred**
 4 **thousand (300,000).**

5 (b) In adopting a declaratory resolution under section 15 of this
 6 chapter, a redevelopment commission may include a provision stating
 7 that the redevelopment project area is considered to include one (1) or
 8 more additional areas outside the boundaries of the redevelopment
 9 project area if the redevelopment commission makes the following
 10 findings and the requirements of subsection (c) are met:

11 (1) One (1) or more taxpayers presently located within the
 12 boundaries of the redevelopment project area are expected within
 13 one (1) year to relocate all or part of their operations outside the
 14 boundaries of the redevelopment project area and have expressed
 15 an interest in relocating all or part of their operations within the
 16 boundaries of an additional area.

17 (2) The relocation described in subdivision (1) will contribute to
 18 the continuation of the conditions described in IC 36-7-1-3 in the
 19 redevelopment project area.

20 (3) For purposes of this section, it will be of public utility and
 21 benefit to include the additional areas as part of the
 22 redevelopment project area.

23 (c) Each additional area must be designated by the redevelopment
 24 commission as a redevelopment project area or an economic
 25 development area under this chapter.

26 (d) Notwithstanding section 3 of this chapter, the additional areas
 27 shall be considered to be a part of the redevelopment special taxing
 28 district under the jurisdiction of the redevelopment commission. Any
 29 excess property taxes that the commission has determined may be paid
 30 to taxing units under section 39(b)(4) of this chapter shall be paid to
 31 the taxing units from which the excess property taxes were derived. All
 32 powers of the redevelopment commission authorized under this chapter
 33 may be exercised by the redevelopment commission in additional areas
 34 under its jurisdiction.

35 (e) The declaratory resolution must include a statement of the
 36 general boundaries of each additional area. However, it is sufficient to
 37 describe those boundaries by location in relation to public ways,
 38 streams, or otherwise, as determined by the commissioners.

39 (f) The declaratory resolution may include a provision with respect
 40 to the allocation and distribution of property taxes with respect to one
 41 (1) or more of the additional areas in the manner provided in section 39
 42 of this chapter. If the redevelopment commission includes such a



1 provision in the resolution, allocation areas in the redevelopment
 2 project area and in the additional areas considered to be part of the
 3 redevelopment project area shall be considered a single allocation area
 4 for purposes of this chapter.

5 (g) The additional areas must be located within the same county as
 6 the redevelopment project area but are not otherwise required to be
 7 within the jurisdiction of the redevelopment commission, if the
 8 redevelopment commission obtains the consent by ordinance of:

9 (1) the county legislative body, for each additional area located
 10 within the unincorporated part of the county; or

11 (2) the legislative body of the city or town affected, for each
 12 additional area located within a city or town.

13 In granting its consent, the legislative body shall approve the plan of
 14 development or redevelopment relating to the additional area.

15 (h) A declaratory resolution previously adopted may be amended to
 16 include a provision to include additional areas as set forth in this
 17 section and an allocation provision under section 39 of this chapter
 18 with respect to one (1) or more of the additional areas in accordance
 19 with sections 15, 16, and 17 of this chapter.

20 (i) The redevelopment commission may amend the allocation
 21 provision of a declaratory resolution in accordance with sections 15,
 22 16, and 17 of this chapter to change the assessment date that
 23 determines the base assessed value of property in the allocation area to
 24 any assessment date following the effective date of the allocation
 25 provision of the declaratory resolution. Such a change may relate to the
 26 assessment date that determines the base assessed value of that portion
 27 of the allocation area that is located in the redevelopment project area
 28 alone, that portion of the allocation area that is located in an additional
 29 area alone, or the entire allocation area.

30 SECTION 188. IC 36-7-14-39.2, AS AMENDED BY P.L.257-2019,
 31 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE APRIL 1, 2022]: Sec. 39.2. (a) This section applies to a
 33 county having a population of more than ~~two hundred fifty thousand~~
 34 ~~(250,000) but less than two hundred seventy thousand (270,000):~~ **two**
 35 **hundred fifty thousand (250,000) and less than three hundred**
 36 **thousand (300,000).**

37 (b) As used in this section, "designated taxpayer" means any
 38 taxpayer designated by the commission in a declaratory resolution
 39 adopted or amended under section 15 or 17.5 of this chapter and with
 40 respect to which the commission finds that taxes to be derived from the
 41 taxpayer's depreciable personal property in the allocation area, in
 42 excess of the taxes attributable to the base assessed value of that



1 personal property, are reasonably expected to exceed in one (1) or more
 2 future years the taxes to be derived from the taxpayer's real property in
 3 the allocation area in excess of the taxes attributable to the base
 4 assessed value of that real property.

5 (c) The allocation provision of a declaratory resolution may modify
 6 the definition of "property taxes" under section 39(a) of this chapter to
 7 include taxes imposed under IC 6-1.1 on the depreciable personal
 8 property of designated taxpayers, in accordance with the procedures
 9 and limitations set forth in this section and section 39 of this chapter.
 10 If such a modification is included in the resolution for purposes of
 11 section 39 of this chapter, the term "base assessed value" with respect
 12 to the depreciable personal property of designated taxpayers means,
 13 subject to section 39(j) of this chapter, the net assessed value of all the
 14 depreciable personal property as finally determined for the assessment
 15 date immediately preceding:

16 (1) the effective date of the modification, for modifications
 17 adopted before July 1, 1995; and

18 (2) the adoption date of the modification for modifications
 19 adopted after June 30, 1995;

20 as adjusted under section 39(h) of this chapter.

21 SECTION 189. IC 36-7-26-1, AS AMENDED BY P.L.119-2012,
 22 SECTION 208, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the
 24 following:

25 (1) A city having a population of more than ~~eighty thousand five~~
 26 ~~hundred (80,500) but less than one hundred thousand (100,000):~~
 27 **seventy-five thousand (75,000) and less than seventy-nine**
 28 **thousand (79,000).**

29 (2) A city having a population of more than one hundred thousand
 30 (100,000) ~~but and~~ less than one hundred ten thousand (110,000).

31 (3) A city having a population of more than one hundred fifty
 32 thousand (150,000) ~~but less than five hundred thousand~~
 33 ~~(500,000): and less than six hundred thousand (600,000).~~

34 (4) A city having a population of more than one hundred ten
 35 thousand (110,000) ~~but and~~ less than one hundred fifty thousand
 36 (150,000).

37 SECTION 190. IC 36-7-29-1, AS AMENDED BY P.L.119-2012,
 38 SECTION 209, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the
 40 following units:

41 (1) A city having a population of more than ~~eight thousand seven~~
 42 ~~hundred (8,700) but less than nine thousand (9,000):~~ **nine**



1 **thousand eight hundred fifty (9,850) and less than nine**
 2 **thousand nine hundred (9,900).**
 3 (2) A county having a population of more than ~~one hundred~~
 4 ~~seventy thousand (170,000)~~ but less than ~~one hundred~~
 5 ~~seventy-five thousand (175,000)~~; **one hundred eighty-five**
 6 **thousand (185,000) and less than two hundred thousand**
 7 **(200,000).**
 8 SECTION 191. IC 36-7-31.3-4, AS AMENDED BY P.L.197-2016,
 9 SECTION 135, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE APRIL 1, 2022]: Sec. 4. As used in this chapter,
 11 "covered taxes" means the part of the following taxes attributable to the
 12 operation of a facility designated as part of a tax area under section 8
 13 of this chapter:
 14 (1) The state gross retail tax imposed under IC 6-2.5-2-1 or use
 15 tax imposed under IC 6-2.5-3-2.
 16 (2) An adjusted gross income tax imposed under IC 6-3-2-1 on an
 17 individual.
 18 (3) The local income tax imposed under IC 6-3.6.
 19 (4) Except in a county having a population of more than ~~three~~
 20 ~~hundred thousand (300,000)~~ but less than ~~four hundred thousand~~
 21 ~~(400,000)~~; **three hundred fifty thousand (350,000) and less**
 22 **than four hundred thousand (400,000)**, a food and beverage tax
 23 imposed under IC 6-9.
 24 SECTION 192. IC 36-7-31.3-8, AS AMENDED BY THE
 25 TECHNICAL CORRECTIONS BILL OF THE 2022 GENERAL
 26 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 APRIL 1, 2022]: Sec. 8. (a) A designating body may designate as part
 28 of a professional sports and convention development area any facility
 29 that is:
 30 (1) owned by the city, the county, a school corporation, or a board
 31 under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11, and
 32 used by a professional sports franchise for practice or competitive
 33 sporting events;
 34 (2) owned by the city, the county, or a board under IC 36-9-13,
 35 IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used as one (1) of
 36 the following:
 37 (A) A facility used principally for convention or tourism
 38 related events serving national or regional markets.
 39 (B) An airport.
 40 (C) A museum.
 41 (D) A zoo.
 42 (E) A facility used for public attractions of national



1 significance.
 2 (F) A performing arts venue.
 3 (G) A county courthouse registered on the National Register
 4 of Historic Places; or
 5 (3) a hotel.
 6 Notwithstanding section 9 of this chapter or any other law, a
 7 designating body may by resolution approve the expansion of a
 8 professional sports and convention development area after June 30,
 9 2009, to include a hotel designated by the designating body. A
 10 resolution for such an expansion must be reviewed by the budget
 11 committee and approved by the budget agency in the same manner as
 12 a resolution establishing a professional sports and convention
 13 development area is reviewed and approved. A facility may not include
 14 a private golf course or related improvements. The tax area may
 15 include only facilities described in this section and any parcel of land
 16 on which a facility is located. An area may contain noncontiguous
 17 tracts of land within the city, county, or school corporation.
 18 (b) Except for a tax area that is located in: ~~a city having a population~~
 19 ~~of:~~
 20 (1) ~~more than one hundred fifty thousand (150,000) but less than~~
 21 ~~five hundred thousand (500,000); the city of Fort Wayne; or~~
 22 (2) ~~more than eighty thousand (80,000) but less than eighty~~
 23 ~~thousand four hundred (80,400); the city of Gary;~~
 24 a tax area must include at least one (1) facility described in subsection
 25 (a)(1).
 26 (c) A tax area may contain other facilities not owned by the
 27 designating body if:
 28 (1) the facility is owned by a city, the county, a school
 29 corporation, or a board established under IC 36-9-13, IC 36-10-8,
 30 IC 36-10-10, or IC 36-10-11; and
 31 (2) an agreement exists between the designating body and the
 32 owner of the facility specifying the distribution and uses of the
 33 covered taxes to be allocated under this chapter.
 34 (d) This subsection applies to all tax areas located in ~~a Allen~~
 35 County. ~~having a population of more than three hundred thousand~~
 36 ~~(300,000) but less than four hundred thousand (400,000).~~ The facilities
 37 located at an Indiana University Fort Wayne and Purdue University
 38 Fort Wayne campus are added to the tax area designated by the county.
 39 For state fiscal years:
 40 (1) beginning before July 1, 2021, the maximum amount of
 41 covered taxes that may be captured in all tax areas located in the
 42 county is three million dollars (\$3,000,000) per year; and



1 (2) beginning after June 30, 2021, the maximum amount of
 2 covered taxes that may be captured in all tax areas located in the
 3 county is five million dollars (\$5,000,000) **per year;**
 4 regardless of the designating body that established the tax area. The
 5 revenue from the local income tax imposed under IC 6-3.6 that is
 6 captured must be counted first toward this maximum.

7 (e) This subsection applies to a tax area located in **the city of**
 8 **Evansville**. Notwithstanding any other provision of this chapter, for
 9 state fiscal years beginning after July 1, 2021, any facility in **the city**
 10 **of Evansville Indiana: that:**

11 (1) ~~that~~ consists of a hotel; and
 12 (2) is located in the north part of an area bounded on the
 13 northwest by Walnut Street, on the northeast by SE Martin Luther
 14 King Jr. Boulevard, on the southwest by SE 6th Street, and on the
 15 southeast by Cherry Street, as those streets were located on July
 16 1, 2021;
 17 is added to the tax area. The provisions in sections 11 and 12 of this
 18 chapter are not applicable to the area described in this subsection.

19 (f) This subsection applies to a tax area located in **the city of** South
 20 Bend. Notwithstanding any other provision of this chapter, for state
 21 fiscal years in which the tax area is renewed under section ~~10(d)~~ **10(e)**
 22 of this chapter after June 30, 2021, the tax area shall also include any
 23 facility or complex of facilities **as follows:**

24 (1) That consists of hotels located in the following areas in **the**
 25 **city of South Bend: Indiana:**

26 (A) In the east quadrant of an area bounded on the north by
 27 Columbus Court, on the east by North Main Street, and on the
 28 south by West Washington Street, as those streets were located
 29 on July 1, 2021.

30 (B) An area bounded on the north by East Colfax Avenue, on
 31 the east by Doctor Martin Luther King, Jr. Boulevard, on the
 32 south by East Washington Street, and on the west by North
 33 Michigan Street, as those streets were located on July 1, 2021.
 34 **and**

35 (C) In the southeast quadrant of an area bounded on the north
 36 by East Washington Street, on the east by Doctor Martin
 37 Luther King, Jr. Boulevard, and on the south by East Jefferson
 38 Boulevard, as those streets were located on July 1, 2021.

39 (2) That consists of a sports, recreational and event facility or
 40 complex of facilities located in **the city of** South Bend, ~~Indiana;~~
 41 in the northeast quadrant of an area bounded on the north by East
 42 Jefferson Boulevard, on the east by South St. Louis Boulevard, as



1 those streets were located on July 1, 2021, and on the west by the
2 St. Joseph River.

3 (3) Located at an Indiana University South Bend campus.

4 The provisions in sections 11 and 12 of this chapter are not applicable
5 to the renewal of the tax areas described in this subsection.

6 SECTION 193. IC 36-7-31.3-9, AS AMENDED BY P.L.100-2014,
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 APRIL 1, 2022]: Sec. 9. (a) A tax area must be initially established by
9 resolution:

10 (1) before January 1, 2013, in the case of:

11 (A) a second class city;

12 (B) the city of Marion; or

13 (C) the city of Westfield; or

14 (2) before July 1, 1999, if subdivision (1) does not apply;

15 according to the procedures set forth for the establishment of an
16 economic development area under IC 36-7-14. Only one (1) tax area
17 may be created in each county.

18 (b) In establishing the tax area, the designating body must make the
19 following findings instead of the findings required for the
20 establishment of economic development areas:

21 (1) Except for a tax area in: ~~a city having a population of:~~

22 (A) ~~more than one hundred fifty thousand (150,000) but less~~
23 ~~than five hundred thousand (500,000); the city of Fort~~
24 ~~Wayne; or~~

25 (B) ~~more than eighty thousand (80,000) but less than eighty~~
26 ~~thousand four hundred (80,400); the city of Gary;~~

27 there is a capital improvement that will be undertaken or has been
28 undertaken in the tax area for a facility that is used by a
29 professional sports franchise for practice or competitive sporting
30 events. A tax area to which this subdivision applies may also
31 include a capital improvement that will be undertaken or has been
32 undertaken in the tax area for a facility that is used for any
33 purpose specified in section 8(a)(2) of this chapter.

34 (2) For a tax area in ~~a city having a population of more than one~~
35 ~~hundred fifty thousand (150,000) but less than five hundred~~
36 ~~thousand (500,000); the city of Fort Wayne,~~ there is a capital
37 improvement that will be undertaken or has been undertaken in
38 the tax area for a facility that is used for any purpose specified in
39 section 8(a) of this chapter.

40 (3) For a tax area in ~~a city having a population of more than eighty~~
41 ~~thousand (80,000) but less than eighty thousand four hundred~~
42 ~~(80,400); the city of Gary,~~ there is a capital improvement that



- 1 will be undertaken or has been undertaken in the tax area for a
- 2 facility that is used for any purpose specified in section 8(a)(2) of
- 3 this chapter.
- 4 (4) The capital improvement that will be undertaken or that has
- 5 been undertaken in the tax area will benefit the public health and
- 6 welfare and will be of public utility and benefit.
- 7 (5) The capital improvement that will be undertaken or that has
- 8 been undertaken in the tax area will protect or increase state and
- 9 local tax bases and tax revenues.
- 10 (c) The tax area established under this chapter is a special taxing
- 11 district authorized by the general assembly to enable the designating
- 12 body to provide special benefits to taxpayers in the tax area by
- 13 promoting economic development that is of public use and benefit.
- 14 SECTION 194. IC 36-7-31.3-10, AS AMENDED BY P.L.79-2021,
- 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 APRIL 1, 2022]: Sec. 10. (a) A tax area must be established by
- 17 resolution. A resolution establishing a tax area must provide for the
- 18 allocation of covered taxes attributable to a taxable event or covered
- 19 taxes earned in the tax area to the professional sports and convention
- 20 development area fund established for the city or county. The
- 21 allocation provision must apply to the entire tax area. The following
- 22 apply to Allen County:
- 23 (1) The fund required by this subsection is the coliseum
- 24 professional sports and convention development area fund. This
- 25 fund shall be administered by the Allen County Memorial
- 26 Coliseum board of trustees.
- 27 (2) The allocation each year must be as follows:
- 28 (A) The following for state fiscal years ending before July 1,
- 29 2021:
- 30 (i) The first two million six hundred thousand dollars
- 31 (\$2,600,000) shall be transferred to the county treasurer for
- 32 deposit in the coliseum professional sports and convention
- 33 development area fund.
- 34 (ii) The remaining amount shall be transferred to the
- 35 treasurer of the joint county-city capital improvement board
- 36 in the county.
- 37 (B) The following for state fiscal years beginning after June
- 38 30, 2021:
- 39 (i) The first two million six hundred thousand dollars
- 40 (\$2,600,000) shall be transferred to the county treasurer for
- 41 deposit in the coliseum professional sports and convention
- 42 development area fund.



1 (ii) After the allocation under item (i), the next four hundred
 2 thousand dollars (\$400,000) shall be transferred to the joint
 3 county-city capital improvement board in the county for the
 4 Grand Wayne Center.
 5 (iii) After the allocations under items (i) and (ii), any
 6 remaining amount shall be transferred to the joint
 7 county-city capital improvement board in the county to be
 8 split evenly between the Allen County War Memorial
 9 Coliseum and the Grand Wayne Center.
 10 A tax area located in Allen County terminates not later than December
 11 31, 2038. Any bonds that were issued before January 1, 2015, to
 12 finance the facility or proposed facility must have a maturity of less
 13 than twenty-five (25) years.
 14 (b) In addition to subsection (a), all of the salary, wages, bonuses,
 15 and other compensation that are:
 16 (1) paid during a taxable year to a professional athlete for
 17 professional athletic services;
 18 (2) taxable in Indiana; and
 19 (3) earned in the tax area;
 20 shall be allocated to the tax area if the professional athlete is a member
 21 of a team that plays the majority of the professional athletic events that
 22 the team plays in Indiana in the tax area.
 23 (c) Except as provided in subsection (d), for a tax area that is:
 24 (1) not located in a **Allen County; having a population of more**
 25 **than three hundred thousand (300,000) but less than four hundred**
 26 **thousand (400,000); and**
 27 (2) not located in a **city having a population of more than one**
 28 **hundred thousand (100,000) but less than one hundred ten**
 29 **thousand (110,000); the city of South Bend;**
 30 the total amount of state revenue captured by the tax area may not
 31 exceed five dollars (\$5) per resident of the city or county per year for
 32 twenty (20) consecutive years.
 33 (d) This subsection applies to a tax area established in a ~~city having~~
 34 ~~a population of more than one hundred ten thousand (110,000) but less~~
 35 ~~than one hundred fifty thousand (150,000)~~ **the city of Evansville** that
 36 expired before July 1, 2021. The tax area described in this subsection
 37 is renewed beginning after June 30, 2021, for an additional twenty (20)
 38 consecutive years, and shall include:
 39 (1) the boundaries of the tax area before its expiration; plus
 40 (2) the additional tax area added under section 8(e) of this
 41 chapter.
 42 The provisions in sections 11 and 12 of this chapter are not applicable



1 to the renewal of the tax area described in this subsection.
 2 (e) This subsection applies to a tax area established in a city having
 3 a population of more than one hundred thousand (100,000) but less
 4 than one hundred ten thousand (110,000) **the city of South Bend** that
 5 expired before July 1, 2021. The tax area described in this subsection
 6 is renewed beginning after June 30, 2021, for an additional twenty (20)
 7 consecutive years, and shall include:

- 8 (1) the boundaries of the tax area before its expiration; plus
- 9 (2) the additional tax areas added under section 8(f) of this
 10 chapter.

11 The provisions in sections 11 and 12 of this chapter are not applicable
 12 to the renewal of the tax area described in this subsection. The
 13 maximum amount of covered taxes that may be captured in the tax area
 14 under this subsection is two million dollars (\$2,000,000) per year.

15 (f) The resolution establishing the tax area must designate the
 16 facility or proposed facility and the facility site for which the tax area
 17 is established.

18 (g) The department may adopt rules under IC 4-22-2 and guidelines
 19 to govern the allocation of covered taxes to a tax area.

20 SECTION 195. IC 36-7-31.3-19, AS AMENDED BY P.L. 119-2012,
 21 SECTION 213, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE APRIL 1, 2022]: Sec. 19. The resolution establishing the
 23 tax area must designate the use of the funds. The funds are to be used
 24 only for the following:

- 25 (1) Except in a tax area in: a city having a population of:
 - 26 (A) ~~more than one hundred fifty thousand (150,000) but less~~
 27 ~~than five hundred thousand (500,000); the city of Fort~~
 28 ~~Wayne; or~~
 - 29 (B) ~~more than eighty thousand (80,000) but less than eighty~~
 30 ~~thousand four hundred (80,400); the city of Gary;~~

31 a capital improvement that will construct or equip a facility
 32 owned by the city, the county, a school corporation, or a board
 33 under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and
 34 used by a professional sports franchise for practice or competitive
 35 sporting events. In a tax area to which this subdivision applies,
 36 funds may also be used for a capital improvement that will
 37 construct or equip a facility owned by the city, the county, or a
 38 board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11
 39 and used for any purpose specified in section 8(a)(2) of this
 40 chapter.

- 41 (2) In a city having a population of more than one hundred fifty
 42 thousand (150,000) but less than five hundred thousand



1 ~~(500,000); the city of Fort Wayne~~, a capital improvement that
 2 will construct or equip a facility owned by the city, the county, a
 3 school corporation, or a board under IC 36-9-13, IC 36-10-8,
 4 IC 36-10-10, or IC 36-10-11 and used for any purpose specified
 5 in section 8(a) of this chapter.

6 (3) In a city having a population of more than eighty thousand
 7 ~~(80,000) but less than eighty thousand four hundred (80,400); the~~
 8 **city of Gary**, a capital improvement that will construct or equip
 9 a facility owned by the city, the county, or a board under
 10 IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and used for
 11 any purpose specified in section 8(a)(1) or 8(a)(2) of this chapter.

12 (4) The financing or refinancing of a capital improvement
 13 described in subdivision (1), (2), or (3) or the payment of lease
 14 payments for a capital improvement described in subdivision (1),
 15 (2), or (3).

16 SECTION 196. IC 36-7.5-1-4, AS AMENDED BY P.L.119-2012,
 17 SECTION 214, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE APRIL 1, 2022]: Sec. 4. "Airport development authority"
 19 refers to an airport development authority established under
 20 IC 8-22-3.7 in a city having a population of more than eighty thousand
 21 ~~(80,000) but less than eighty thousand four hundred (80,400); the city~~
 22 **of Gary.**

23 SECTION 197. IC 36-7.5-1-11, AS AMENDED BY P.L.165-2021,
 24 SECTION 207, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE APRIL 1, 2022]: Sec. 11. "Eligible county" refers to the
 26 following counties:

27 (1) ~~A Lake County. having a population of more than four~~
 28 ~~hundred thousand (400,000) but less than seven hundred thousand~~
 29 ~~(700,000).~~

30 (2) ~~A Porter County. having a population of more than one~~
 31 ~~hundred fifty thousand (150,000) but less than one hundred~~
 32 ~~seventy thousand (170,000).~~

33 (3) ~~A LaPorte County, having a population of more than one~~
 34 ~~hundred eleven thousand (111,000) but less than one hundred~~
 35 ~~fifteen thousand (115,000); if:~~

36 (A) the fiscal body of the county has adopted an ordinance
 37 under IC 36-7.5-2-3(d) providing that the county is joining the
 38 development authority; and

39 (B) the fiscal body of the city described in IC 36-7.5-2-3(d)
 40 has adopted an ordinance under IC 36-7.5-2-3(d) providing
 41 that the city is joining the development authority.

42 SECTION 198. IC 36-7.5-2-3, AS AMENDED BY THE



1 TECHNICAL CORRECTIONS BILL OF THE 2022 GENERAL
 2 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 APRIL 1, 2022]: Sec. 3. (a) The development authority is governed by
 4 the development board appointed under this section.

5 (b) Except as provided in subsections (d), (e), and (g), the
 6 development board is composed of the following ten (10) members:

7 (1) Two (2) members appointed by the governor. One (1) of the
 8 members appointed by the governor under this subdivision shall
 9 be designated as chair by the governor. One (1) of the members
 10 appointed by the governor must reside in Porter County. Both
 11 members appointed by the governor under this subdivision serve
 12 at the pleasure of the governor.

13 (2) The following members from a **Lake** County: ~~having a~~
 14 ~~population of more than four hundred thousand (400,000) but less~~
 15 ~~than seven hundred thousand (700,000):~~

16 (A) One (1) member appointed by the mayor of the largest city
 17 in the county in which a riverboat is located. The member
 18 appointed under this clause must be a resident of the largest
 19 city in the county in which a riverboat is located.

20 (B) One (1) member appointed by the mayor of the second
 21 largest city in the county in which a riverboat is located. The
 22 member appointed under this clause must be a resident of the
 23 second largest city in the county in which a riverboat is
 24 located.

25 (C) One (1) member appointed by the mayor of the third
 26 largest city in the county in which a riverboat is located. The
 27 member appointed under this clause must be a resident of the
 28 third largest city in the county in which a riverboat is located.

29 (D) One (1) member appointed jointly by the county executive
 30 and the county fiscal body. A member appointed under this
 31 clause may not reside in a city described in clause (A), (B), or
 32 (C).

33 (3) One (1) member appointed jointly by the county executive and
 34 county fiscal body of a **Porter** County. ~~having a population of~~
 35 ~~more than one hundred fifty thousand (150,000) but less than one~~
 36 ~~hundred seventy thousand (170,000):~~ The member appointed
 37 under this subdivision must be a resident of a **Porter** County.
 38 ~~having a population of more than one hundred fifty thousand~~
 39 ~~(150,000) but less than one hundred seventy thousand (170,000):~~

40 (4) The following three (3) members appointed under subsection
 41 (i):

42 (A) One (1) member appointed from Lake County.



- 1 (B) One (1) member appointed from Porter County.
- 2 (C) One (1) member appointed from LaPorte County.
- 3 The members appointed under this subdivision may only vote on
- 4 matters that pertain strictly to a transit development district
- 5 established under IC 36-7.5-4.5-17.
- 6 (c) A member appointed to the development board must have
- 7 knowledge and at least five (5) years professional work experience in
- 8 at least one (1) of the following:
- 9 (1) Rail transportation or air transportation.
- 10 (2) Regional economic development.
- 11 (3) Business or finance.
- 12 (d) ~~A LaPorte County having a population of more than one~~
- 13 ~~hundred eleven thousand (111,000) but less than one hundred fifteen~~
- 14 ~~thousand (115,000) shall be is~~ an eligible county participating in the
- 15 development authority if the fiscal body of the county adopts an
- 16 ordinance providing that the county is joining the development
- 17 authority and the fiscal body of a city that is located in the county and
- 18 ~~that has a population of more than thirty-one thousand (31,000) but less~~
- 19 ~~than thirty-one thousand five hundred (31,500) the city of Michigan~~
- 20 **City** adopts an ordinance providing that the city is joining the
- 21 development authority. Notwithstanding subsection (b), if ordinances
- 22 are adopted under this subsection and the county becomes an eligible
- 23 county participating in the development authority:
- 24 (1) the development board shall be composed of twelve (12)
- 25 members rather than ten (10) members; and
- 26 (2) the additional two (2) members shall be appointed in the
- 27 following manner:
- 28 (A) One (1) additional member shall be appointed by the
- 29 governor and shall serve at the pleasure of the governor. The
- 30 member appointed under this clause must be an individual
- 31 nominated under ~~subsection (f):~~ **subsection (e).**
- 32 (B) One (1) additional member shall be appointed jointly by
- 33 the county executive and county fiscal body. The member
- 34 appointed under this clause must be a resident of a **LaPorte**
- 35 **County.** ~~having a population of more than one hundred eleven~~
- 36 ~~thousand (111,000) but less than one hundred fifteen thousand~~
- 37 ~~(115,000):~~
- 38 (e) This subsection applies only if the county described in
- 39 subsection (d) is an eligible county participating in the development
- 40 authority. The mayor of the largest city in the county described in
- 41 subsection (d) shall nominate three (3) residents of the county for
- 42 appointment to the development board. The governor's initial



1 appointment under subsection (d)(2)(A) must be an individual
 2 nominated by the mayor. At the expiration of the member's term, the
 3 mayor of the second largest city in the county described in subsection
 4 (d) shall nominate three (3) residents of the county for appointment to
 5 the development board. The governor's second appointment under
 6 subsection (d)(2)(A) must be an individual nominated by the mayor.
 7 Thereafter, the authority to nominate the three (3) individuals from
 8 among whom the governor shall make an appointment under
 9 subsection (d)(2)(A) shall alternate between the mayors of the largest
 10 and the second largest city in the county at the expiration of a member's
 11 term.

12 (f) An individual or entity required to make an appointment under
 13 subsection (b) must make the initial appointment before September 1,
 14 2005, or the initial nomination before August 15, 2005. If an individual
 15 or entity does not make an initial appointment under subsection (b)
 16 before September 1, 2005, the governor shall instead make the initial
 17 appointment.

18 (g) Subsection (h) applies only:

- 19 (1) to municipalities located in a county that ~~(1) has a population~~
 20 ~~of more than one hundred fifty thousand (150,000) but less than~~
 21 ~~one hundred seventy thousand (170,000); Porter County; and~~
 22 (2) **if Porter County** was a member of the development authority
 23 on January 1, 2009, and subsequently ceases to be a member of
 24 the development authority.

25 (h) If the fiscal bodies of at least two (2) municipalities subject to
 26 this subsection adopt ordinances to become members of the
 27 development authority, those municipalities shall become members of
 28 the development authority. If two (2) or more municipalities become
 29 members of the development authority under this subsection, the fiscal
 30 bodies of the municipalities that become members of the development
 31 authority shall jointly appoint one (1) member of the development
 32 board who shall serve in place of the member described in subsection
 33 (b)(3). A municipality that becomes a member of the development
 34 authority under this subsection is considered an eligible municipality
 35 for purposes of this article.

36 (i) The governor shall appoint three (3) members to the
 37 development board as follows:

- 38 (1) The initial appointment of one (1) member shall be selected
 39 out of a list of three (3) nominations from the county executive of
 40 Lake County. The nominations shall be transmitted to the
 41 governor before July 1, 2020. If the county executive of Lake
 42 County does not make the initial nominations by July 1, 2020, the



1 governor shall instead make the initial appointment. After the
2 expiration of the term of a member appointed under this
3 subdivision, or if a vacancy occurs before the end of the term of
4 a member appointed under this subdivision, the county executive
5 of Lake County shall transmit a list of three (3) nominations to the
6 governor not later than ninety (90) days after the expiration or the
7 vacancy occurs. The governor shall appoint one (1) member out
8 of the list of three (3) nominations, or, if the county executive of
9 Lake County does not make the nominations within ninety (90)
10 days after the expiration or the vacancy occurs, the governor shall
11 instead make the appointment. A member appointed under this
12 subdivision must be a resident of Lake County.

13 (2) The initial appointment of one (1) member shall be selected
14 out of a list of three (3) nominations from the county executive of
15 Porter County. The nominations shall be transmitted to the
16 governor before July 1, 2020. If the county executive of Porter
17 County does not make the initial nominations by July 1, 2020, the
18 governor shall instead make the initial appointment. After the
19 expiration of the term of a member appointed under this
20 subdivision, or if a vacancy occurs before the end of the term of
21 a member appointed under this subdivision, the county executive
22 of Porter County shall transmit a list of three (3) nominations to
23 the governor not later than ninety (90) days after the expiration or
24 the vacancy occurs. The governor shall appoint one (1) member
25 out of the list of three (3) nominations, or, if the county executive
26 of Porter County does not make the nominations within ninety
27 (90) days after the expiration or the vacancy occurs, the governor
28 shall instead make the appointment. A member appointed under
29 this subdivision must be a resident of Porter County.

30 (3) The initial appointment of one (1) member shall be selected
31 out of a list of three (3) nominations from the county executive of
32 LaPorte County. The nominations shall be transmitted to the
33 governor before July 1, 2020. If the county executive of LaPorte
34 County does not make the initial nominations by July 1, 2020, the
35 governor shall instead make the initial appointment. After the
36 expiration of the term of a member appointed under this
37 subdivision, or if a vacancy occurs before the end of the term of
38 a member appointed under this subdivision, the county executive
39 of LaPorte County shall transmit a list of three (3) nominations to
40 the governor not later than ninety (90) days after the expiration or
41 the vacancy occurs. The governor shall appoint one (1) member
42 out of the list of three (3) nominations, or, if the county executive



1 of LaPorte County does not make the nominations within ninety
 2 (90) days after the expiration or the vacancy occurs, the governor
 3 shall instead make the appointment. A member appointed under
 4 this subdivision must be a resident of LaPorte County.

5 SECTION 199. IC 36-7.5-4-2, AS AMENDED BY P.L.165-2021,
 6 SECTION 213, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) Except as provided in
 8 subsections (b) and (d), the fiscal officer of each city and county
 9 described in IC 36-7.5-2-3(b) shall each transfer three million five
 10 hundred thousand dollars (\$3,500,000) each year to the development
 11 authority for deposit in the development authority revenue fund
 12 established under section 1 of this chapter. However, if a **Porter**
 13 **County having a population of more than one hundred fifty thousand**
 14 **(150,000) but less than one hundred seventy thousand (170,000)** ceases
 15 to be a member of the development authority and two (2) or more
 16 municipalities in the county have become members of the development
 17 authority as authorized by IC 36-7.5-2-3(h), the transfer of the local
 18 income tax revenue that is dedicated to economic development
 19 purposes that is required to be transferred under IC 6-3.6-11-6 is the
 20 contribution of the municipalities in the county that have become
 21 members of the development authority.

22 (b) This subsection applies only if:

- 23 (1) the fiscal body of the county described in IC 36-7.5-2-3(d) has
- 24 adopted an ordinance under IC 36-7.5-2-3(d) providing that the
- 25 county is joining the development authority;
- 26 (2) the fiscal body of the city described in IC 36-7.5-2-3(d) has
- 27 adopted an ordinance under IC 36-7.5-2-3(d) providing that the
- 28 city is joining the development authority; and
- 29 (3) the county described in IC 36-7.5-2-3(d) is an eligible county
- 30 participating in the development authority.

31 The fiscal officer of the county described in IC 36-7.5-2-3(d) shall
 32 transfer two million six hundred twenty-five thousand dollars
 33 (\$2,625,000) each year to the development authority for deposit in the
 34 development authority revenue fund established under section 1 of this
 35 chapter. The fiscal officer of the city described in IC 36-7.5-2-3(d)
 36 shall transfer eight hundred seventy-five thousand dollars (\$875,000)
 37 each year to the development authority for deposit in the development
 38 authority revenue fund established under section 1 of this chapter.

39 (c) This subsection does not apply to Lake County, Hammond, Gary,
 40 or East Chicago. The following apply to the remaining transfers
 41 required by subsections (a) and (b):

- 42 (1) Except for transfers of money described in subdivision (4)(D),



1 the transfers shall be made without appropriation by the city or
2 county fiscal body or approval by any other entity.

3 (2) Except as provided in subdivision (3), each fiscal officer shall
4 transfer eight hundred seventy-five thousand dollars (\$875,000)
5 to the development authority revenue fund before the last
6 business day of January, April, July, and October of each year.
7 Food and beverage tax revenue deposited in the fund under
8 IC 6-9-36-8 is in addition to the transfers required by this section.

9 (3) The fiscal officer of the county described in IC 36-7.5-2-3(d)
10 shall transfer six hundred fifty-six thousand two hundred fifty
11 dollars (\$656,250) to the development authority revenue fund
12 before the last business day of January, April, July, and October
13 of each year. The county is not required to make any payments or
14 transfers to the development authority covering any time before
15 January 1, 2017. The fiscal officer of a city described in
16 IC 36-7.5-2-3(d) shall transfer two hundred eighteen thousand
17 seven hundred fifty dollars (\$218,750) to the development
18 authority revenue fund before the last business day of January,
19 April, July, and October of each year. The city is not required to
20 make any payments or transfers to the development authority
21 covering any time before January 1, 2017.

22 (4) The transfers shall be made from one (1) or more of the
23 following:

24 (A) Riverboat admissions tax revenue received by the city or
25 county, riverboat wagering tax revenue received by the city or
26 county, or riverboat incentive payments received from a
27 riverboat licensee by the city or county.

28 (B) Any local income tax revenue that is dedicated to
29 economic development purposes under IC 6-3.6-6 and
30 received under IC 6-3.6-9 by the city or county.

31 (C) Any other local revenue other than property tax revenue
32 received by the city or county.

33 (D) In the case of a county described in IC 36-7.5-2-3(d) or a
34 city described in IC 36-7.5-2-3(d), any money from the major
35 moves construction fund that is distributed to the county or
36 city under IC 8-14-16.

37 (d) This subsection applies only to Lake County, Hammond, Gary,
38 and East Chicago. The obligations of each city and the county under
39 subsection (a) are satisfied by the distributions made by the auditor of
40 state on behalf of each unit under IC 4-33-12-8 and IC 4-33-13-5(j).
41 However, if the total amount distributed under IC 4-33 on behalf of a
42 unit with respect to a particular state fiscal year is less than the amount



1 required by subsection (a), the fiscal officer of the unit shall transfer
 2 the amount of the shortfall to the authority from any source of revenue
 3 available to the unit other than property taxes. The auditor of state shall
 4 certify the amount of any shortfall to the fiscal officer of the unit after
 5 making the distribution required by IC 4-33-13-5(i) on behalf of the
 6 unit with respect to a particular state fiscal year.

7 (e) A transfer made on behalf of a county, city, or town under this
 8 section after December 31, 2018:

9 (1) is considered to be a payment for services provided to
 10 residents by a rail project as those services are rendered; and

11 (2) does not impair any pledge of revenues under this article
 12 because a pledge by the development authority of transferred
 13 revenue under this section to the payment of bonds, leases, or
 14 obligations under this article or IC 5-1.3:

15 (A) constitutes the obligations of the northwest Indiana
 16 regional development authority; and

17 (B) does not constitute an indebtedness of a county, city, or
 18 town described in this section or of the state within the
 19 meaning or application of any constitutional or statutory
 20 provision or limitation.

21 (f) Neither the transfer of revenue as provided in this section nor the
 22 pledge of revenue transferred under this section is an impairment of
 23 contract within the meaning or application of any constitutional
 24 provision or limitation because of the following:

25 (1) The statutes governing local taxes, including the transferred
 26 revenue, have been the subject of legislation annually since 1973,
 27 and during that time the statutes have been revised, amended,
 28 expanded, limited, and recodified dozens of times.

29 (2) Owners of bonds, leases, or other obligations to which local
 30 tax revenues have been pledged recognize that the regulation of
 31 local taxes has been extensive and consistent.

32 (3) All bonds, leases, or other obligations, due to their essential
 33 contractual nature, are subject to relevant state and federal law
 34 that is enacted after the date of a contract.

35 (4) The state of Indiana has a legitimate interest in assisting the
 36 development authority in financing rail projects.

37 (g) All proceedings had and actions described in this section are
 38 valid pledges under IC 5-1-14-4 as of the date of those proceedings or
 39 actions and are hereby legalized and declared valid if taken before
 40 March 15, 2018.

41 SECTION 200. IC 36-8-10-7, AS AMENDED BY P.L.119-2012,
 42 SECTION 220, IS AMENDED TO READ AS FOLLOWS

ES 37—LS 6145/DI 13



1 [EFFECTIVE APRIL 1, 2022]: Sec. 7. (a) The state examiner of the
 2 state board of accounts shall fix the exact amount per meal that the
 3 sheriff of each county receives for feeding the prisoners in the sheriff's
 4 custody. Subject to the maximum meal allowance provided in this
 5 section, the state examiner shall increase the amount per meal that a
 6 sheriff receives as follows:

7 (1) Increase the amount per meal by a percentage that does not
 8 exceed the percent of increase in the United States Department of
 9 Labor Consumer Price Index during the year preceding the year
 10 in which an increase is established.

11 (2) Increase the amount per meal above the amount determined
 12 under subdivision (1) if the sheriff furnishes to the state examiner
 13 sufficient documentation to prove that the sheriff cannot provide
 14 meals at the amount per meal that is determined under
 15 subdivision (1).

16 The amount must be fixed by April 15 each year and takes effect
 17 immediately upon approval. The allowance may not exceed two dollars
 18 (\$2) per person per meal. The allowance shall be paid out of the
 19 general fund of the county after the sheriff submits to the county
 20 executive an itemized statement, under oath, showing the names of the
 21 prisoners, the date that each was imprisoned in the county jail, and the
 22 number of meals served to each prisoner.

23 (b) Notwithstanding subsection (a), IC 36-2-13-2.5(b)(4) through
 24 IC 36-2-13-2.5(b)(5), and IC 36-2-13-2.8(b), this subsection applies to
 25 a county having a population of: **the following counties:**

26 (1) **A county having a population of more than one hundred**
 27 **seventy-five thousand (175,000) but less than one hundred**
 28 **eighty-five thousand (185,000); or one hundred eighty thousand**
 29 **(180,000) and less than one hundred eighty-five thousand**
 30 **(185,000).**

31 (2) **A county having a population of more than three hundred**
 32 **thousand (300,000); three hundred fifty thousand (350,000)**
 33 **and less than four hundred thousand (400,000).**

34 (3) **A county having a population of more than four hundred**
 35 **thousand (400,000) and less than seven hundred thousand**
 36 **(700,000).**

37 (4) **A county having a consolidated city.**

38 A county shall feed the county prisoners through an appropriation in
 39 the usual manner by the county fiscal body. The appropriation shall be
 40 expended by the sheriff under the direction of the county executive. If
 41 a county has a population of less than four hundred thousand
 42 (400,000), an accounting of the expenditures must be filed monthly



1 with the county auditor by the fifth day of the month following the
 2 expenditure. If a county has a population of four hundred thousand
 3 (400,000) or more, an accounting of the expenditures must be filed
 4 with the county auditor on the first Monday of January and the first
 5 Monday of July of each year. Neither the sheriff nor the sheriff's
 6 officers, deputies, and employees may make a profit as a result of the
 7 appropriation.

8 SECTION 201. IC 36-8-15-1, AS AMENDED BY P.L.119-2012,
 9 SECTION 221, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the
 11 following counties:

12 (1) A county having a consolidated city.

13 (2) A county having a population of more than ~~one hundred~~
 14 ~~eighty-five thousand (185,000) but less than two hundred fifty~~
 15 ~~thousand (250,000):~~ **two hundred thousand (200,000) and less**
 16 **than two hundred fifty thousand (250,000).**

17 (3) A county that adopts an ordinance providing for the county to
 18 be governed by this chapter.

19 However, sections 9.5, 15, 16, 17, and 18 of this chapter apply only to
 20 a county having a consolidated city.

21 SECTION 202. IC 36-8-15-19, AS AMENDED BY P.L.197-2016,
 22 SECTION 146, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE APRIL 1, 2022]: Sec. 19. (a) This subsection applies to
 24 a county that has a population of more than ~~one hundred eighty-five~~
 25 ~~thousand (185,000) but less than two hundred fifty thousand (250,000):~~
 26 **two hundred thousand (200,000) and less than two hundred fifty**
 27 **thousand (250,000).** For the purpose of raising money to fund the
 28 operation of the district, the county fiscal body may impose, for
 29 property taxes first due and payable during each year after the adoption
 30 of an ordinance establishing the district, an ad valorem property tax
 31 levy on property within the district. The property tax rate for that levy
 32 may not exceed five cents (\$0.05) on each one hundred dollars (\$100)
 33 of assessed valuation.

34 (b) This subsection applies to a county having a consolidated city.
 35 The county fiscal body may elect to fund the operation of the district
 36 from part of the certified distribution, if any, that the county is to
 37 receive during a particular calendar year under IC 6-3.6-9. To make
 38 such an election, the county fiscal body must adopt an ordinance before
 39 November 1 of the immediately preceding calendar year. The county
 40 fiscal body must specify in the ordinance the amount of the certified
 41 distribution that is to be used to fund the operation of the district. If the
 42 county fiscal body adopts such an ordinance, it shall immediately send



1 a copy of the ordinance to the county auditor.
2 (c) Subject to subsections (d), (e), and (f), if an ordinance or
3 resolution is adopted changing the territory covered by the district or
4 the number of public agencies served by the district, the department of
5 local government finance shall, for property taxes first due and payable
6 during the year after the adoption of the ordinance, adjust the
7 maximum permissible ad valorem property tax levy limits of the
8 district and the units participating in the district.
9 (d) If a unit by ordinance or resolution joins the district or elects to
10 have its public safety agencies served by the district, the department of
11 local government finance shall reduce the maximum permissible ad
12 valorem property tax levy of the unit for property taxes first due and
13 payable during the year after the adoption of the ordinance or
14 resolution. The reduction shall be based on the amount budgeted by the
15 unit for public safety communication services in the year in which the
16 ordinance was adopted. If such an ordinance or resolution is adopted,
17 the district shall refer its proposed budget, ad valorem property tax
18 levy, and property tax rate for the following year to the department of
19 local government finance, which shall review and set the budget, levy,
20 and rate as though the district were covered by IC 6-1.1-18.5-7.
21 (e) If a unit by ordinance or resolution withdraws from the district
22 or rescinds its election to have its public safety agencies served by the
23 district, the department of local government finance shall reduce the
24 maximum permissible ad valorem property tax levy of the district for
25 property taxes first due and payable during the year after the adoption
26 of the ordinance or resolution. The reduction shall be based on the
27 amounts being levied by the district within that unit. If such an
28 ordinance or resolution is adopted, the unit shall refer its proposed
29 budget, ad valorem property tax levy, and property tax rate for public
30 safety communication services to the department of local government
31 finance, which shall review and set the budget, levy, and rate as though
32 the unit were covered by IC 6-1.1-18.5-7.
33 (f) The adjustments provided for in subsections (c), (d), and (e) do
34 not apply to a district or unit located in a particular county if the county
35 fiscal body of that county does not impose an ad valorem property tax
36 levy under subsection (a) to fund the operation of the district.
37 (g) A county that has adopted an ordinance under section 1(3) of
38 this chapter may not impose an ad valorem property tax levy on
39 property within the district to fund the operation or implementation of
40 the district.
41 SECTION 203. IC 36-9-3-2, AS AMENDED BY P.L.121-2016,
42 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 APRIL 1, 2022]: Sec. 2. (a) A fiscal body of a county or municipality
 2 may, by ordinance, establish a regional transportation authority
 3 (referred to as "the authority" in this chapter) for the purpose of
 4 acquiring, improving, operating, maintaining, financing, and generally
 5 supporting a public transportation system that operates within the
 6 boundaries of an area designated as a transportation planning district
 7 by the Indiana department of transportation. However, only one (1)
 8 public transportation authority may be established within an area
 9 designated as a transportation planning district by the Indiana
 10 department of transportation.

11 (b) The ordinance establishing the authority must include an
 12 effective date and a name for the authority. Except as provided in
 13 subsection (c), the words "regional transportation authority" must be
 14 included in the name of the authority.

15 (c) The words "regional bus authority" must be included in the name
 16 of an authority that includes a **Lake County. having a population of**
 17 **more than four hundred thousand (400,000) but less than seven**
 18 **hundred thousand (700,000).**

19 SECTION 204. IC 36-9-3-3.5, AS AMENDED BY P.L.119-2012,
 20 SECTION 225, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE APRIL 1, 2022]: Sec. 3.5. (a) This section applies to a
 22 **LaPorte County with a population of more than one hundred eleven**
 23 **thousand (111,000) but less than one hundred fifteen thousand**
 24 **(115,000) and any second class city located in the county.**

25 (b) A county or city described in subsection (a) shall become a
 26 member of an authority described in section 5(c) of this chapter if the
 27 fiscal body of the county or city adopts a resolution authorizing the
 28 county or city to become a member of the authority and the board of the
 29 authority approves the membership of the county or city.

30 SECTION 205. IC 36-9-3-5, AS AMENDED BY P.L.121-2016,
 31 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 APRIL 1, 2022]: Sec. 5. (a) An authority is under the control of a board
 33 (referred to as "the board" in this chapter) that, except as provided in
 34 subsections (b) and (c), consists of:

- 35 (1) two (2) members appointed by the executive of each county in
 36 the authority;
- 37 (2) one (1) member appointed by the executive of the largest
 38 municipality in each county in the authority;
- 39 (3) one (1) member appointed by the executive of each second
 40 class city in a county in the authority; and
- 41 (4) one (1) member from any other political subdivision that has
 42 public transportation responsibilities in a county in the authority.



1 (b) An authority that includes a **the** consolidated city is under the
2 control of a board consisting of the following:

3 (1) Two (2) members appointed by the executive of **the Marion**
4 **County. having the consolidated city.**

5 (2) One (1) member appointed by the board of commissioners of
6 **the Marion County. having the consolidated city.**

7 (3) One (1) member appointed by the executive of each other
8 county in the authority.

9 (4) Two (2) members appointed by the governor from a list of at
10 least five (5) names provided by the Indianapolis regional
11 transportation council.

12 (5) One (1) member representing the four (4) largest
13 municipalities in the authority located in a county other than a
14 **Marion County. containing a consolidated city.** The member shall
15 be appointed by the executives of the municipalities acting
16 jointly.

17 (6) One (1) member representing the excluded cities located in a
18 **Marion County containing a consolidated city** that are members
19 of the authority. The member shall be appointed by the executives
20 of the excluded cities acting jointly.

21 (7) One (1) member of a labor organization representing
22 employees of the authority who provide public transportation
23 services within the geographic jurisdiction of the authority. The
24 labor organization shall appoint the member.

25 (c) An authority that includes a **Lake County having a population**
26 **of more than four hundred thousand (400,000) but less than seven**
27 **hundred thousand (700,000)** is under the control of a board consisting
28 of the following twenty-one (21) members:

29 (1) Three (3) members appointed by the executive of a city with
30 a population of more than eighty thousand (80,000) but less than
31 eighty thousand four hundred (80,400): **the city of Gary.**

32 (2) Two (2) members appointed by the executive of a city with a
33 population of more than eighty thousand five hundred (80,500)
34 but less than one hundred thousand (100,000): **the city of**
35 **Hammond.**

36 (3) One (1) member jointly appointed by the executives of the
37 following municipalities located within a **Lake County: having a**
38 **population of more than four hundred thousand (400,000) but less**
39 **than seven hundred thousand (700,000):**

40 (A) A city with a population of more than four thousand nine
41 hundred fifty (4,950) but less than five thousand (5,000): **The**
42 **city of Whiting.**



- 1 (B) A city with a population of more than twenty-nine
- 2 thousand six hundred (29,600) but less than twenty-nine
- 3 thousand nine hundred (29,900). **The city of East Chicago.**
- 4 (4) One (1) member who is jointly appointed by the fiscal body of
- 5 **each of** the following municipalities located within a **Lake**
- 6 **County:** with a population of more than four hundred thousand
- 7 (400,000) but less than seven hundred thousand (700,000):
- 8 (A) A town with a population of more than sixteen thousand
- 9 five hundred (16,500) but less than twenty thousand (20,000):
- 10 **The town of Griffith.**
- 11 (B) A town with a population of more than twenty-three
- 12 thousand seven hundred (23,700) but less than twenty-four
- 13 thousand (24,000). **The town of Highland.**
- 14 (C) A town with a population of more than twenty thousand
- 15 (20,000) but less than twenty-three thousand seven hundred
- 16 (23,700). **The town of Munster.**
- 17 (5) One (1) member who is jointly appointed by the fiscal body of
- 18 the following municipalities located within a **Lake County:** with
- 19 a population of more than four hundred thousand (400,000) but
- 20 less than seven hundred thousand (700,000):
- 21 (A) A town with a population of more than fourteen thousand
- 22 (14,000) but less than sixteen thousand (16,000). **The town of**
- 23 **St. John.**
- 24 (B) A town with a population of more than twenty-four
- 25 thousand (24,000) but less than thirty thousand (30,000). **The**
- 26 **town of Schererville.**
- 27 (C) A town with a population of more than sixteen thousand
- 28 (16,000) but less than sixteen thousand five hundred (16,500):
- 29 **The town of Dyer.**
- 30 (6) One (1) member who is jointly appointed by the following
- 31 authorities of municipalities located in a **Lake County:** having a
- 32 population of more than four hundred thousand (400,000) but less
- 33 than seven hundred thousand (700,000):
- 34 (A) The executive of a city with a population of more than
- 35 twenty-five thousand (25,000) but less than twenty-nine
- 36 thousand (29,000). **The city of Crown Point.**
- 37 (B) The fiscal body of a town with a population of more than
- 38 ten thousand (10,000) but less than fourteen thousand
- 39 (14,000). **The town of Cedar Lake.**
- 40 (C) The fiscal body of a town with a population of more than
- 41 five thousand (5,000) but less than ten thousand (10,000). **The**
- 42 **town of Lowell.**



- 1 (D) The fiscal body of a town with a population of less than
 2 one thousand five hundred (1,500): **The town of Schneider.**
 3 (E) The fiscal body of a town with a population of more than
 4 two thousand two hundred (2,200) but less than five thousand
 5 (5,000): **The town of Winfield.**
 6 (7) One (1) member appointed by the fiscal body of a town with
 7 a population of more than thirty thousand (30,000) located within
 8 a county with a population of more than four hundred thousand
 9 (400,000) but less than seven hundred thousand (700,000): **the**
 10 **town of Merrillville.**
 11 (8) One (1) member who is jointly appointed by the following
 12 authorities of municipalities that are located within a **Lake**
 13 **County: with a population of more than four hundred thousand**
 14 **(400,000) but less than seven hundred thousand (700,000):-**
 15 (A) The executive of a city having a population of more than
 16 twenty-nine thousand (29,000) but less than twenty-nine
 17 thousand five hundred (29,500): **the city of Hobart.**
 18 (B) The executive of a city having a population of more than
 19 twelve thousand five hundred (12,500) but less than twelve
 20 thousand seven hundred (12,700): **the city of Lake Station.**
 21 (C) The fiscal body of a town having a population of more
 22 than one thousand five hundred (1,500) but less than two
 23 thousand two hundred (2,200): **the town of New Chicago.**
 24 (9) Three (3) members appointed by the fiscal body of a **Lake**
 25 **County. with a population of more than four hundred thousand**
 26 **(400,000) but less than seven hundred thousand (700,000):-**
 27 (10) One (1) member appointed by the county executive of a
 28 **Lake County. with a population of more than four hundred**
 29 **thousand (400,000) but less than seven hundred thousand**
 30 **(700,000):-**
 31 (11) One (1) member of a labor organization representing
 32 employees of the authority who provide public transportation
 33 services within the geographic jurisdiction of the authority. The
 34 labor organization shall appoint the member. If more than one (1)
 35 labor organization represents the employees of the authority, each
 36 organization shall submit one (1) name to the governor, and the
 37 governor shall appoint the member from the list of names
 38 submitted by the organizations.
 39 (12) The executive of a city with a population of more than
 40 **thirty-one thousand seven hundred twenty-five (31,725) but less**
 41 **than thirty-five thousand (35,000); or the executive's designee: the**
 42 **city of Valparaiso.**



1 (13) The executive of a city with a population of more than
2 ~~thirty-six thousand eight hundred twenty-five (36,825) but less~~
3 ~~than forty thousand (40,000); or the executive's designee: the city~~
4 ~~of Portage.~~

5 (14) One (1) member of the board of commissioners of a Porter
6 County. with a population of more than one hundred fifty
7 thousand (150,000) but less than one hundred seventy thousand
8 (170,000); appointed by the board of commissioners; or the
9 member's designee.

10 (15) One (1) member appointed jointly by the township executive
11 of the township containing the following towns:

- 12 (A) Chesterton.
- 13 (B) Porter.
- 14 (C) Burns Harbor.
- 15 (D) Dune Acres.

16 The member appointed under this subdivision must be a resident
17 of a town listed in this subdivision.

18 (16) One (1) member appointed jointly by the township
19 executives of the following townships located in Porter County:

- 20 (A) Washington Township.
- 21 (B) Morgan Township.
- 22 (C) Pleasant Township.
- 23 (D) Boone Township.
- 24 (E) Union Township.
- 25 (F) Porter Township.
- 26 (G) Jackson Township.
- 27 (H) Liberty Township.
- 28 (I) Pine Township.

29 The member appointed under this subdivision must be a resident
30 of a township listed in this subdivision.

31 If a county or city becomes a member of the authority under section 3.5
32 of this chapter, the executive of the county or city shall appoint one (1)
33 member to serve on the board.

34 SECTION 206. IC 36-9-3-6, AS AMENDED BY P.L. 182-2009(ss),
35 SECTION 447, IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE APRIL 1, 2022]: Sec. 6. (a) Except as provided in
37 subsection (d), the appointments required by section 5 of this chapter
38 must be made as soon as is practical, but not later than sixty (60) days
39 after the adoption of the ordinance establishing the authority. If any
40 appointing authority fails to make the required appointment within the
41 sixty (60) day time limit, the circuit court from the jurisdiction of the
42 appointing authority shall make the appointment without delay.



- 1 (b) The term of office of a member of the board is:
 2 (1) two (2) years, for a member of a board located in **a Lake**
 3 **County, with a population of more than four hundred thousand**
 4 **(400,000) but less than seven hundred thousand (700,000);** if such
 5 a board exists under this chapter; and
 6 (2) four (4) years for all other boards;
 7 and continues until the member's successor has qualified for the office.
 8 A member may be reappointed for successive terms.
- 9 (c) A member of the board serves at the pleasure of the appointing
 10 authority.
- 11 (d) An appointment to an authority located in **a Lake County, with**
 12 **a population of more than four hundred thousand (400,000) but less**
 13 **than seven hundred thousand (700,000);** if such an authority exists
 14 under this chapter, must be made not later than sixty (60) days after the
 15 adoption of the ordinance establishing the authority, or for the purpose
 16 of reappointments, sixty (60) days after a scheduled reappointment. If
 17 the appointing authority designated in section 5(c)(3), 5(c)(4), 5(c)(5),
 18 5(c)(6), or 5(c)(8) of this chapter fails to make an appointment, the
 19 appointment shall be made by the governor. If a county or city becomes
 20 a member of the authority under section 3.5 of this chapter and the
 21 executive of the county or city fails to make an appointment to the
 22 board within sixty (60) days after the county or city becomes a member
 23 of the authority, the appointment shall be made by the governor. The
 24 governor shall select an individual from a list comprised of one (1)
 25 name from each appointing authority for that particular appointment.
- 26 SECTION 207. IC 36-9-3-7, AS AMENDED BY P.L.121-2016,
 27 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 APRIL 1, 2022]: Sec. 7. (a) Except as provided in subsection (e), as
 29 soon as is practical, but not later than ninety (90) days after the
 30 authority is established, the members shall meet and organize
 31 themselves as a board.
- 32 (b) Except as provided in subsection (f), at its first meeting, and
 33 annually after that, the board shall elect from its members a president,
 34 a vice president who shall perform the duties of the president during
 35 the absence or disability of the president, a secretary, and a treasurer.
 36 If the authority includes more than one (1) county, the president and
 37 vice president must be from different counties.
- 38 (c) The regional planning commission staff or the metropolitan
 39 planning organization if the authority includes **a the** consolidated city
 40 shall serve as staff to the board secretary for the purpose of recording
 41 the minutes of all board meetings and keeping the records of the
 42 authority.



1 (d) The board shall keep its maps, plans, documents, records, and
 2 accounts in a suitable office, subject to public inspection at all
 3 reasonable times.

4 (e) If the authority includes a **Lake County**, ~~having a population of~~
 5 ~~more than four hundred thousand (400,000) but less than seven~~
 6 ~~hundred thousand (700,000)~~; the first meeting of the board shall be at
 7 the call of the county council of **the Lake County**. ~~having a population~~
 8 ~~of more than four hundred thousand (400,000) but less than seven~~
 9 ~~hundred thousand (700,000)~~. The president of the county council shall
 10 preside over the first meeting until the officers of the board have been
 11 elected.

12 (f) If the authority includes a **Lake County**, ~~having a population of~~
 13 ~~more than four hundred thousand (400,000) but less than seven~~
 14 ~~hundred thousand (700,000)~~; the board shall first meet in January. At
 15 the first meeting the board shall elect from its members a president, a
 16 vice president who shall perform the duties of the president during the
 17 absence or disability of the president, a secretary, a treasurer, and any
 18 other officers the board determines are necessary for the board to
 19 function.

20 SECTION 208. IC 36-9-3-9, AS AMENDED BY P.L.121-2016,
 21 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 APRIL 1, 2022]: Sec. 9. (a) A majority of the members appointed to the
 23 board constitutes a quorum for a meeting.

24 (b) Except as provided in subsection (c), the board may act officially
 25 by an affirmative vote of a majority of those present at the meeting at
 26 which the action is taken.

27 (c) If the authority includes a **Lake County**, ~~having a population of~~
 28 ~~more than four hundred thousand (400,000) but less than seven~~
 29 ~~hundred thousand (700,000)~~; then:

30 (1) an affirmative vote of a majority of the board is necessary for
 31 an action to be taken; and

32 (2) a vacancy in membership does not impair the right of a
 33 quorum to exercise all rights and perform all duties of the board.

34 SECTION 209. IC 36-9-3-10, AS AMENDED BY P.L.121-2016,
 35 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 APRIL 1, 2022]: Sec. 10. (a) Except as provided in subsection (b), the
 37 members of the board are not entitled to a salary but are entitled to an
 38 allowance for actual expenses and mileage at the same rate as other
 39 county officials.

40 (b) If the authority includes a **Lake County**, ~~having a population of~~
 41 ~~more than four hundred thousand (400,000) but less than seven~~
 42 ~~hundred thousand (700,000)~~; a member of the board is entitled to



1 reimbursement for traveling expenses and other expenses actually
2 incurred in connection with the member's duties as provided:

3 (1) in the procedures established by the department of
4 administration and approved by the budget agency for state
5 employee travel; or

6 (2) by ordinance of the county fiscal body.

7 SECTION 210. IC 36-9-4-13.5, AS AMENDED BY P.L.119-2012,
8 SECTION 228, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE APRIL 1, 2022]: Sec. 13.5. (a) This section applies to a
10 county having a population of more than ~~two hundred fifty thousand~~
11 ~~(250,000) but less than two hundred seventy thousand (270,000): two~~
12 **hundred fifty thousand (250,000) and less than three hundred**
13 **thousand (300,000).**

14 (b) The taxing district of a public transportation corporation under
15 this section includes all the territory inside the corporate boundaries of
16 the two (2) cities in the county having the largest populations and such
17 suburban territory as provided in section 13 of this chapter.

18 (c) This section applies upon the adoption of substantially identical
19 ordinances approving subsection (b) by both:

20 (1) the public transportation corporation incorporating the
21 additional territory; and

22 (2) the legislative body of the city being added to the taxing
23 district of the public transportation corporation.

24 (d) Whenever the city in the county having the second largest
25 population becomes a part of the public transportation corporation,
26 then two (2) additional directors representing that city shall be
27 appointed to the board of directors of the corporation. The directors
28 must be residents of that city and are entitled to all of the rights,
29 privileges, powers, and duties of directors under this chapter. The
30 executive and the legislative body of that city shall each appoint one
31 (1) director. These two (2) directors must not be of the same political
32 party. The director appointed by the legislative body shall serve for a
33 term of one (1) year, and the director appointed by the executive shall
34 serve for a term of two (2) years. Upon the expiration of the respective
35 terms, successors shall be appointed in accordance with section 18 of
36 this chapter.

37 (e) If the city in the county having the second largest population
38 appropriates money to support the public transportation corporation in
39 a particular year, and if the territory of that city subsequently becomes
40 a part of the taxing district of the public transportation corporation in
41 that year and is subject to a separate property tax levy for transportation
42 services, the maximum permissible levy of that city for the year



1 following the particular year used to compute the property tax levy
 2 limit under IC 6-1.1-18.5 is decreased, and the maximum permissible
 3 levy of the public transportation corporation for the particular year used
 4 to compute the property tax levy limit under IC 6-1.1-18.5 is increased,
 5 by an amount equivalent to the current contract amount to be paid by
 6 that city to the public transportation corporation for transportation
 7 services provided to that city in the particular year.

8 (f) The public transportation corporation shall establish a single
 9 property tax rate applicable to the taxing district of the public
 10 transportation corporation, including the territory of the city in the
 11 county having the second largest population that is included in the
 12 public transportation corporation under this section. The initial
 13 permissible levy to be raised by this rate equals the sum of the amount
 14 raised by the levy of the public transportation corporation in the
 15 previous taxable year plus an amount equivalent to the current contract
 16 amount to be paid in the calendar year 1982 by the city in the county
 17 having the second largest population to the public transportation
 18 corporation. The permissible levy for the subsequent years shall be
 19 computed in accordance with IC 6-1.1-18.5.

20 (g) If the city in the county having the second largest population is
 21 excluded from the public transportation corporation in a subsequent
 22 year, and that city is no longer subject to a separate property tax levy
 23 for transportation services, the maximum permissible levy of the public
 24 transportation corporation for that subsequent year used to compute the
 25 property tax levy limit under IC 6-1.1-18.5 is decreased, and the
 26 maximum permissible levy of that city for that subsequent year used to
 27 compute the property tax levy limit under IC 6-1.1-18.5 is increased,
 28 by the amount of the product of the public transportation property tax
 29 rate for that subsequent year multiplied by the assessed value in that
 30 subsequent year of all taxable property in that city that is excluded from
 31 the public transportation corporation.

32 SECTION 211. IC 36-9-14-2, AS AMENDED BY P.L.119-2012,
 33 SECTION 229, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) A cumulative building fund
 35 to provide money for the construction, remodeling, and repair of
 36 courthouses may be established by the county legislative body under
 37 IC 6-1.1-41.

38 (b) As used in this section, "courthouse" includes a historical
 39 complex consisting of a former county courthouse, jail, and sheriff's
 40 residence which is open to the general public for educational or
 41 community purposes in a county having a population of more than ~~one~~
 42 ~~hundred seventy-five thousand (175,000) but less than one hundred~~



1 ~~eighty-five thousand (185,000):~~ **one hundred eighty thousand**
 2 **(180,000) and less than one hundred eighty-five thousand (185,000).**

3 SECTION 212. IC 36-9-25-1, AS AMENDED BY P.L.119-2012,
 4 SECTION 230, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) This chapter applies to the
 6 following:

7 (1) A second class city located in a county having a population of
 8 more than ~~one hundred eleven thousand (111,000) but less than~~
 9 ~~one hundred fifteen thousand (115,000):~~ **one hundred twelve**
 10 **thousand (112,000) and less than one hundred twenty**
 11 **thousand (120,000).**

12 (2) Each municipality in a county having a population of more
 13 than four hundred thousand (400,000) ~~but and~~ less than seven
 14 hundred thousand (700,000) in which the legislative body has
 15 adopted this chapter by ordinance.

16 (b) This chapter also applies to each second class city not in ~~such~~ a
 17 county **described in subsection (a)(1) or (a)(2)**, in which the
 18 legislative body has adopted this chapter by ordinance.

19 (c) In addition, in a consolidated city, sections 9 through 38 of this
 20 chapter apply to the department of public works and the board of public
 21 works, subject to IC 36-3-4-23.

22 SECTION 213. IC 36-9-25-3, AS AMENDED BY P.L.127-2017,
 23 SECTION 316, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE APRIL 1, 2022]: Sec. 3. (a) A department of public
 25 sanitation is established as an executive department of the
 26 municipality. However, in the case of a district described in subsection
 27 (b)(2), the department is established as an executive department of
 28 each municipality in the district.

29 (b) The department is under the control of a board of sanitary
 30 commissioners, which is composed as follows:

31 (1) If the department is established under section 1(a) of this
 32 chapter, the board consists of not less than three (3) but not more
 33 than five (5) commissioners. All of the commissioners shall be
 34 appointed by the municipal executive, unless one (1)
 35 commissioner is the municipal engineer. Not more than two (2)
 36 of the commissioners may be of the same political party, unless
 37 the board consists of five (5) commissioners, in which case not
 38 more than three (3) may be of the same political party.

39 (2) Notwithstanding subdivision (1), if the department is
 40 established under section 1(a) of this chapter and the district
 41 contains at least one (1) city having a population of less than one
 42 hundred thousand (100,000) and at least one (1) town, the board



1 consists of one (1) commissioner from each municipality in the
 2 district. The executive of each of those municipalities shall
 3 appoint one (1) commissioner. If after all appointments are made
 4 the board has fewer than five (5) commissioners, the executive of
 5 the municipality with the largest population shall appoint the
 6 number of additional commissioners needed to bring the total to
 7 five (5). Not more than three (3) of the commissioners may be of
 8 the same political party.

9 (3) If the department is established under section 1(b) of this
 10 chapter, the board consists of not less than three (3)
 11 commissioners but not more than five (5) commissioners. One (1)
 12 commissioner is the city civil engineer. All other commissioners
 13 shall be appointed by the city executive. Not more than two (2) of
 14 the commissioners may be of the same political party, unless the
 15 board consists of five (5) commissioners, in which case not more
 16 than three (3) of the commissioners may be of the same political
 17 party. However, if the department is located in a county having a
 18 population of:

19 (A) more than ~~one hundred five thousand (105,000)~~ but less
 20 than ~~one hundred ten thousand (110,000)~~; **one hundred**
 21 **thousand (100,000) and less than one hundred ten**
 22 **thousand (110,000);**

23 (B) more than ~~one hundred eleven thousand (111,000)~~ but less
 24 than ~~one hundred fifteen thousand (115,000)~~; **one hundred**
 25 **twelve thousand (112,000) and less than one hundred**
 26 **twenty thousand (120,000);**

27 (C) more than ~~one hundred seventy thousand (170,000)~~ but
 28 less than ~~one hundred seventy-five thousand (175,000)~~; **one**
 29 **hundred eighty-five thousand (185,000) and less than two**
 30 **hundred thousand (200,000); or**

31 (D) more than ~~one hundred twenty-five thousand (125,000)~~
 32 but less than ~~one hundred thirty-five thousand (135,000)~~; **one**
 33 **hundred thirty thousand (130,000) and less than one**
 34 **hundred thirty-nine thousand (139,000);**

35 and the city does not have a city civil engineer, one (1) of the
 36 commissioners must be a licensed engineer, appointed by the
 37 executive, with at least five (5) years experience in civil or
 38 sanitary engineering. In addition, in such a city the commissioners
 39 may not hold another public office. Not more than two (2) of the
 40 commissioners may be of the same political party, unless the
 41 board consists of five (5) commissioners, in which case not more
 42 than three (3) of the commissioners may be of the same political



- 1 party.
- 2 (c) Before beginning the commissioner's duties, each commissioner
- 3 shall take and subscribe the usual oath of office. The oath shall be
- 4 endorsed upon the certificate of appointment and filed with the
- 5 municipal clerk.
- 6 (d) Each commissioner shall also execute a bond in the penal sum
- 7 of five thousand dollars (\$5,000) payable to the state and conditioned
- 8 upon the faithful performance of the commissioner's duties and the
- 9 faithful accounting for all money and property that comes under the
- 10 commissioner's control. The bond must be approved by the municipal
- 11 executive.
- 12 (e) The appointed commissioners are entitled to a salary of not less
- 13 than three thousand six hundred dollars (\$3,600) a year during actual
- 14 construction and not less than six hundred dollars (\$600) a year in
- 15 other years.
- 16 (f) Notwithstanding IC 36-1-8-10, whenever this section requires
- 17 that the membership of the board of sanitary commissioners not exceed
- 18 a stated number of members from the same political party, at the time
- 19 of appointment the appointee must:
 - 20 (1) have voted in the two (2) most recent primary elections held
 - 21 by the party with which the appointee claims affiliation; or
 - 22 (2) if the appointee did not vote in the two (2) most recent
 - 23 primary elections or only voted in one (1) of those elections, be
 - 24 certified as a member of the party with which the appointee
 - 25 claims affiliation by that party's county chair for the county in
 - 26 which the appointee resides.
- 27 SECTION 214. IC 36-9-25-8, AS AMENDED BY P.L.119-2012,
- 28 SECTION 232, IS AMENDED TO READ AS FOLLOWS
- 29 [EFFECTIVE APRIL 1, 2022]: Sec. 8. (a) This section applies to cities
- 30 in a county having a population of more than ~~one hundred twenty-five~~
- 31 ~~thousand (125,000) but less than one hundred thirty-five thousand~~
- 32 ~~(135,000): one hundred thirty thousand (130,000) and less than one~~
- 33 **hundred thirty-nine thousand (139,000).**
- 34 (b) The ordinance adopting this chapter must specify the purpose or
- 35 purposes for which the district is established, which must be one (1) or
- 36 more of the following:
 - 37 (1) To provide for the collection, treatment, and disposal of
 - 38 sanitary sewage and other water-carried wastes of the district.
 - 39 (2) To provide for the drainage of storm and surface water to
 - 40 relieve sanitary sewers of that water.
 - 41 (3) To reduce the pollution of watercourses in the district.
 - 42 (4) To provide for the collection and disposal of trash, garbage,



1 and solid waste.
 2 If not all of these purposes are listed in the ordinance, one (1) or more
 3 of the remaining purposes may, by subsequent ordinance, be added to
 4 the purposes of the district.

5 (c) After adoption of the ordinance, three (3) interim members of the
 6 board shall be appointed for terms until the January 1 following the
 7 adoption. On the January 1 following the adoption, members shall be
 8 appointed as provided in sections 3 and 4 of this chapter.

9 (d) Bonds of the district may not be sold without the prior approval
 10 of the city legislative body. In addition, the legislative body must
 11 approve all budgets and tax levies of the district.

12 SECTION 215. IC 36-9-25-39, AS AMENDED BY P.L.119-2012,
 13 SECTION 233, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE APRIL 1, 2022]: Sec. 39. (a) This section applies only
 15 to departments in a county having a population of:

16 (1) more than four hundred thousand (400,000) ~~but~~ **and** less than
 17 seven hundred thousand (700,000); or

18 (2) more than ~~two hundred fifty thousand (250,000) but less than~~
 19 ~~two hundred seventy thousand (270,000):~~ **two hundred fifty**
 20 **thousand (250,000) and less than three hundred thousand**
 21 **(300,000).**

22 (b) The board may secure temporary loans in anticipation of
 23 revenues of the district actually levied and in the course of collection
 24 for the fiscal year in which loans are made. The loans must be
 25 authorized by a resolution of the board, and the securities evidencing
 26 them shall be issued and sold in the same manner as tax anticipation
 27 warrants by second class cities in anticipation of property tax revenues
 28 as provided in IC 36-4-6-20. The temporary loans shall be evidenced
 29 by time warrants of the district in terms designating the nature of the
 30 consideration, the time or times payable, the funds and revenues in
 31 anticipation of which the warrants are issued and out of which they are
 32 payable, and the place where they are payable upon presentation on or
 33 after the date of maturity. The interest accruing on the warrants to date
 34 of maturity shall be included in their face value. The resolution
 35 authorizing the issue of the temporary loans must appropriate and
 36 pledge a sufficient amount of the current revenues in anticipation of
 37 which the warrants are issued for their payment.

38 SECTION 216. IC 36-9-30-21, AS AMENDED BY P.L.119-2012,
 39 SECTION 234, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE APRIL 1, 2022]: Sec. 21. (a) Except as provided in
 41 subsection (l), the fiscal body of the unit owning, operating, and
 42 maintaining facilities for the collection or disposal of solid waste may,



1 by ordinance, establish and maintain just and equitable fees for the use
2 of and the service rendered by the facilities.

3 (b) Except as provided in subsection (m), if the fiscal body of a unit
4 has authorized the issuance of revenue bonds under this chapter, it
5 shall, as long as the bonds are outstanding, establish and maintain fees
6 with respect to the facilities for which the bonds are issued.

7 (c) The aggregate amount of the required fees must be sufficient to
8 pay the cost of operation, repair, depreciation, and maintenance of the
9 facilities, and to pay the sums required to be paid into the bond fund
10 under this chapter.

11 (d) The ordinance may provide that the fees are payable:

12 (1) by either the users of the facilities, the owners of the property
13 served by the facilities, or the unit; or

14 (2) by the users, owners, and the unit in the proportions fixed by
15 the ordinance.

16 (e) Revenues collected under this section are considered revenues
17 of the facilities.

18 (f) The fees may not be established until after a public hearing at
19 which the users of the facilities, the owners of property served or to be
20 served by the facilities, and other interested parties have an opportunity
21 to be heard concerning the proposed fees and the provisions concerning
22 payment of the fees.

23 (g) After introduction of the ordinance fixing the fees and providing
24 for their payment, and before the ordinance is finally adopted, notice
25 of the hearing, setting forth the proposed schedule of fees and the
26 provisions concerning payment, shall be published in accordance with
27 IC 5-3-1.

28 (h) After the hearing, which may be adjourned from time to time,
29 the ordinance, as originally introduced or as amended, shall be passed
30 and put into effect. A copy of the schedule of fees established shall be
31 kept on file in the office of the board and in the office of the fiscal
32 officer of the unit. The fee schedule is a public record.

33 (i) The fees or the provisions for their payment may be changed or
34 readjusted in the manner by which they were originally established.
35 However, if the change or readjustment is made substantially pro rata
36 as to all classes of use or service, no hearing or notice is required.

37 (j) If:

38 (1) a user of the facilities; or

39 (2) an owner of property served by the facilities;

40 does not pay a fee within thirty (30) days after it is due, the amount of
41 the fee, together with a penalty of ten percent (10%) and a reasonable
42 attorney's fee, may be recovered by the unit in a civil action in the name



1 of the unit.

2 (k) The unit is subject to the fees established under this chapter. The
3 unit shall pay the fees when due. The payments are considered part of
4 the revenues of the facilities.

5 (l) This subsection applies to a county having a population of more
6 than ~~fifty-seven thousand (57,000) but less than sixty thousand~~
7 ~~(60,000):~~ **sixty thousand (60,000) and less than sixty-five thousand**
8 **(65,000)**. The county executive owning, operating, and maintaining
9 facilities for the collection or disposal of solid waste may, by
10 ordinance, establish and maintain just and equitable fees for the use of
11 and the service rendered by the facilities.

12 (m) If the fiscal body of a county that is subject to subsection (l) has
13 authorized the issuance of revenue bonds under this chapter, the county
14 executive shall, as long as the bonds are outstanding, establish and
15 maintain fees with respect to the facilities for which the bonds are
16 issued.

17 SECTION 217. IC 36-10-3-38, AS AMENDED BY
18 P.L.212-2018(ss), SECTION 33, IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 38. (a) This section
20 applies in a county having a population of more than ~~three hundred~~
21 ~~thousand (300,000) but less than four hundred thousand (400,000):~~
22 **three hundred fifty thousand (350,000) and less than four hundred**
23 **thousand (400,000).**

24 (b) This section applies only if a municipality annexes or has
25 annexed territory that is part of a district under this chapter after June
26 1, 1976.

27 (c) Any annexed territory that is in the district before the effective
28 date of the annexation ordinance remains a part of the district, and the
29 property in the annexed territory is subject to the same levy for park
30 and recreational purposes as other property within the district. The
31 annexing municipality may not impose an additional levy on the
32 property in the annexed territory for park and recreational purposes.

33 (d) Notwithstanding subsection (c), the district's fiscal officer shall
34 semiannually transfer to the annexing municipality's department
35 one-half (1/2) of the property tax revenue attributable to property taxes
36 imposed by the district on property that is within the annexed territory
37 and that was annexed after June 1, 1976, and before March 4, 1988.

38 (e) The fiscal officer for a district shall make the transfer required
39 under subsection (d) on June 1 and December 1 of each calendar year
40 beginning after December 31, 2018.

41 SECTION 218. IC 36-10-4-6, AS AMENDED BY P.L.119-2012,
42 SECTION 236, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE APRIL 1, 2022]: Sec. 6. (a) This section applies
 2 whenever a district is extended under section 5 of this chapter and ~~such~~
 3 **the** district is not located in a county having a population of more than
 4 ~~one hundred seventy-five thousand (175,000) but less than one hundred~~
 5 ~~eighty-five thousand (185,000):~~ **one hundred eighty thousand**
 6 **(180,000) and less than one hundred eighty-five thousand (185,000).**

7 (b) After the district is extended under section 5 of this chapter, the
 8 board consists of five (5) commissioners. Two (2) commissioners shall
 9 be appointed by the city executive, two (2) commissioners shall be
 10 appointed by the county executive of the county in which the city is
 11 located, and one (1) commissioner shall be appointed by a majority
 12 vote of the presidents of the school boards of the school corporations
 13 in the county in which the city is located. The commissioners appointed
 14 by the county executive must be residents of the area of the district
 15 outside the corporate boundaries of the city. The commissioners
 16 appointed by the county executive may not be members of the same
 17 political party, and the commissioners appointed by the city executive
 18 may not be members of the same political party.

19 (c) A commissioner of an extended district may hold office for an
 20 unlimited number of terms.

21 (d) After the initial terms have expired, all of the commissioners
 22 after the extension of the district shall be appointed for terms of four
 23 (4) years, beginning on January 1. The terms of office of the three (3)
 24 commissioners in office at the time of the extension terminate January
 25 1, and the terms of office of the new commissioners begin January 1.
 26 The city executive shall appoint one (1) commissioner for an initial
 27 term of two (2) years and one (1) for an initial term of four (4) years.
 28 The county executive shall appoint two (2) commissioners, one (1)
 29 commissioner for an initial term of two (2) years and the other
 30 commissioner for an initial term of four (4) years. The presidents of the
 31 school boards shall appoint one (1) commissioner for an initial term of
 32 four (4) years.

33 (e) A vacancy in the office of a commissioner shall be filled for the
 34 remainder of the term by the appointing authority.

35 SECTION 219. IC 36-10-4-6.1, AS AMENDED BY P.L.119-2012,
 36 SECTION 237, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE APRIL 1, 2022]: Sec. 6.1. (a) This section applies
 38 whenever a district is extended under section 5 of this chapter and ~~such~~
 39 **the** district is located in a county having a population of more than ~~one~~
 40 ~~hundred seventy-five thousand (175,000) but less than one hundred~~
 41 ~~eighty-five thousand (185,000):~~ **one hundred eighty thousand**
 42 **(180,000) and less than one hundred eighty-five thousand (185,000).**



1 (b) After the district is extended under section 5 of this chapter, the
 2 board consists of five (5) commissioners. Three (3) commissioners
 3 shall be appointed by the city executive, and two (2) commissioners
 4 shall be appointed by the county executive of the county in which the
 5 city is located. The commissioners appointed by the county executive
 6 must be residents of the areas of the district outside the corporate
 7 boundaries of the city. No more than two (2) of the three (3)
 8 commissioners appointed by the city executive may be members of the
 9 same political party, and the commissioners appointed by the county
 10 executive may not be members of the same political party.

11 (c) A commissioner of an extended district may hold office for an
 12 unlimited number of terms.

13 (d) All commissioners after the extension of the district shall be
 14 appointed for terms of four (4) years, beginning on January 1. The three
 15 (3) commissioners whose terms of office have not expired continue in
 16 office and are considered appointees of the city executive until the
 17 expiration of the four (4) year terms for which they each were
 18 originally appointed. The county executive shall appoint two (2)
 19 commissioners, one for a term of two (2) years and the other for a term
 20 of four (4) years. As the term of each commissioner expires, a new
 21 commissioner shall be appointed for a term of four (4) years so that at
 22 all times the board consists of three (3) commissioners appointed by
 23 the city executive and two (2) commissioners appointed by the county
 24 executive.

25 (e) A vacancy in the office of a commissioner shall be filled for the
 26 remainder of the term by the appointing authority.

27 SECTION 220. IC 36-10-5-5, AS AMENDED BY P.L.119-2012,
 28 SECTION 239, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) This section applies to a
 30 municipality that:

31 (1) has a population of more than twenty-five thousand (25,000);
 32 and

33 (2) is located in a county having a population of more than ~~two~~
 34 ~~hundred seventy thousand (270,000) but less than three hundred~~
 35 ~~thousand (300,000); **three hundred thousand (300,000) and less**~~
 36 ~~than three hundred fifty thousand (350,000).~~

37 (b) A municipal board consists of four (4) members appointed by
 38 the executive of the municipality. A member shall be appointed on the
 39 basis of the member's interest in and knowledge of parks and
 40 recreation. The members may include the executive of the municipality
 41 and one (1) or more members of the municipal fiscal body. The
 42 ordinance creating a municipal board governed by this section may



1 provide for one (1) or two (2) ex officio members.

2 SECTION 221. IC 36-10-7-9, AS AMENDED BY P.L.119-2012,
3 SECTION 240, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE APRIL 1, 2022]: Sec. 9. (a) This section applies to the
5 township having the largest population in a ~~county having a population~~
6 ~~of:~~ **the following counties:**

7 (1) **A county having a population of more than ~~seventy thousand~~
8 ~~fifty (70,050)~~ but less than ~~seventy-one thousand (71,000)~~; or**
9 **sixty-six thousand six hundred (66,600) and less than seventy**
10 **thousand (70,000).**

11 (2) **A county having a population of more than ~~two hundred~~
12 ~~seventy thousand (270,000)~~ but less than ~~three hundred thousand~~
13 ~~(300,000)~~; **three hundred thousand (300,000) and less than**
14 **three hundred fifty thousand (350,000).****

15 (b) Notwithstanding IC 36-10-7.5-5, the department of parks and
16 recreation of a township described in subsection (a) consists of four (4)
17 members appointed by the township executive on the basis of the
18 members' interest in and knowledge of parks and recreation. The
19 members of a board governed by this section may include any of the
20 following:

21 (1) The township executive.

22 (2) One (1) or more members of the township board.

23 (3) Any other persons residing in the township.

24 SECTION 222. IC 36-10-10-1, AS AMENDED BY P.L.119-2012,
25 SECTION 241, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to the two
27 (2) cities having the largest populations in a county having a population
28 of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two~~
29 ~~hundred seventy thousand (270,000)~~; **two hundred fifty thousand**
30 **(250,000) and less than three hundred thousand (300,000).**

31 SECTION 223. IC 36-10-11-1, AS AMENDED BY P.L.119-2012,
32 SECTION 242, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to a city
34 having a population of more than ~~eighty thousand (80,000)~~ but less
35 ~~than eighty thousand four hundred (80,400)~~; **sixty-nine thousand**
36 **(69,000) and less than sixty-nine thousand five hundred (69,500).**

37 SECTION 224. IC 36-10-13-5, AS AMENDED BY P.L.140-2018,
38 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 APRIL 1, 2022]: Sec. 5. (a) This section applies only to a school
40 corporation in a ~~county having a population of:~~ **the following counties:**

41 (1) **A county having a population of more than ~~two hundred fifty~~
42 ~~thousand (250,000)~~ but less than ~~two hundred seventy thousand~~**



1 ~~(270,000); or two hundred fifty thousand (250,000) and less~~
2 ~~than three hundred thousand (300,000).~~

3 **(2) A county having a population of more than one hundred**
4 ~~seventy-five thousand (175,000) but less than one hundred~~
5 ~~eighty-five thousand (185,000): one hundred eighty thousand~~
6 **(180,000) and less than one hundred eighty-five thousand**
7 **(185,000).**

8 (b) Subject to section 6 of this chapter, the governing body of the
9 school corporation may annually appropriate the money in the
10 operations fund to be paid in semiannual installments to a historical
11 society having facilities in the county.

12 SECTION 225. IC 36-10-13-7, AS AMENDED BY P.L.244-2017,
13 SECTION 132, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE APRIL 1, 2022]: Sec. 7. (a) This section applies to
15 school corporations in a county containing a ~~city having a population~~
16 ~~of:~~ **any of the following cities:**

17 (1) **A city having a population of more than one hundred fifty**
18 ~~thousand (150,000) but and less than five hundred thousand~~
19 ~~(500,000): six hundred thousand (600,000).~~

20 (2) **A city having a population of more than one hundred ten**
21 ~~thousand (110,000) but and less than one hundred fifty thousand~~
22 ~~(150,000).~~

23 (3) **A city having a population of more than eighty thousand**
24 ~~(80,000) but less than eighty thousand four hundred (80,400);~~
25 ~~sixty-nine thousand (69,000) and less than sixty-nine thousand~~
26 ~~five hundred (69,500).~~

27 (4) **A city having a population of more than one hundred**
28 ~~thousand (100,000) but and less than one hundred ten thousand~~
29 ~~(110,000). or~~

30 (5) **A city having a population of more than eighty thousand five**
31 ~~hundred (80,500) but less than one hundred thousand (100,000):~~
32 ~~seventy-five thousand (75,000) and less than seventy-nine~~
33 ~~thousand (79,000).~~

34 (b) The governing body of the school corporation may annually
35 appropriate money in the operations fund to be paid in semiannual
36 installments to an art association having facilities in a city that is
37 described in subsection (a), subject to subsection (c).

38 (c) Before an art association may receive payments under this
39 section, the association's governing board must adopt a resolution that
40 entitles:

41 (1) the governing body of the school corporation to appoint the
42 school corporation's superintendent and director of art instruction



- 1 as visitors who may attend all meetings of the association's
 2 governing board;
- 3 (2) the governing body of the school corporation to nominate
 4 individuals for membership on the association's governing board,
 5 with at least two (2) of the nominees to be elected;
- 6 (3) the school corporation to use the association's facilities and
 7 equipment for educational purposes consistent with the
 8 association's purposes;
- 9 (4) the students and teachers of the school corporation to tour the
 10 association's museum and galleries free of charge;
- 11 (5) the school corporation to borrow materials from the
 12 association for temporary exhibit in the schools;
- 13 (6) the teachers of the school corporation to receive normal
 14 instruction in the fine and applied arts at half the regular rates
 15 charged by the association; and
- 16 (7) the school corporation to expect exhibits in the association's
 17 museum that will supplement the work of the students and
 18 teachers of the corporation.

19 A copy of the resolution, certified by the president and secretary of the
 20 association, must be filed in the office of the school corporation before
 21 payments may be received.

22 (d) A resolution filed under subsection (c) is not required to be
 23 renewed annually. The resolution continues in effect until rescinded.
 24 An art association that complies with this section is entitled to continue
 25 to receive payments under this section as long as the art association
 26 complies with the resolution.

27 (e) If more than one (1) art association in a city that is described in
 28 subsection (a) qualifies to receive payments under this section, the
 29 governing body of the school corporation shall select the one (1) art
 30 association best qualified to perform the services described in
 31 subsection (c). A school corporation may select only one (1) art
 32 association to receive payments under this section.

33 SECTION 226. IC 36-11-9-1, AS AMENDED BY P.L.119-2012,
 34 SECTION 246, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) Except as provided in
 36 subsection (b), the governing body may determine and impose rates
 37 and charges of the district based on the following:

- 38 (1) A flat charge for each system.
 39 (2) Variable charges based on the capacity of a system.
 40 (3) Other factors that the governing body determines are
 41 necessary to establish just and equitable rates and charges.

42 (b) In:



1 (1) a county having a population of more than four hundred
2 thousand (400,000) ~~but~~ **and** less than seven hundred thousand
3 (700,000); and

4 (2) a county having a population of more than ~~two hundred fifty~~
5 ~~thousand (250,000)~~ **but less than two hundred seventy thousand**
6 ~~(270,000);~~ **two hundred fifty thousand (250,000) and less than**
7 **three hundred thousand (300,000);**

8 rates and charges may be imposed or changed under this chapter only
9 after approval by the county legislative body.

10 SECTION 227. IC 36-12-1-13, AS AMENDED BY P.L.119-2012,
11 SECTION 247, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE APRIL 1, 2022]: Sec. 13. A township trustee of a
13 township that is:

14 (1) located in a county having a population of more than
15 ~~thirty-four thousand three hundred (34,300)~~ **but less than**
16 ~~thirty-five thousand (35,000);~~ **thirty-five thousand (35,000) and**
17 **less than thirty-five thousand nine hundred (35,900);** and

18 (2) not served by a public library;

19 may pay the cost of a library card at the nearest library for a resident of
20 the township upon request of the resident.

21 SECTION 228. IC 36-12-2-11, AS AMENDED BY P.L.119-2012,
22 SECTION 248, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE APRIL 1, 2022]: Sec. 11. (a) This section applies to the
24 appointment of members to the library board of a public library serving
25 a library district that is located in one (1) county and:

26 (1) has been established by a county or merged into a county
27 public library;

28 (2) results from the merger of a public library into a county public
29 library under IC 36-12-4;

30 (3) is located in part or all of two (2) or more townships and is not
31 entirely located within the boundaries of one (1) municipality; or

32 (4) is located in part or all of two (2) or more municipalities.

33 (b) Subject to subsection (c), in a public library described in
34 subsection (a), the appointments under section 9(4) and 9(5) of this
35 chapter shall be made as follows:

36 (1) One (1) member appointed by the executive of the county in
37 which the library district is located.

38 (2) One (1) member appointed by the fiscal body of the county in
39 which the library district is located.

40 (c) This subsection applies to a county containing only two (2) Class
41 1 public libraries and having a population of more than ~~one hundred~~
42 ~~twenty-five thousand (125,000)~~ **but less than one hundred thirty-five**



1 thousand (~~135,000~~); **one hundred thirty thousand (130,000) and less**
 2 **than one hundred thirty-nine thousand (139,000)**, or more than ~~one~~
 3 ~~hundred fifty thousand (150,000) but less than one hundred seventy~~
 4 ~~thousand (170,000)~~; **one hundred seventy thousand (170,000) and**
 5 **less than one hundred seventy-four thousand (174,000)**. In a public
 6 library that is the result of a merger occurring after December 31, 1979,
 7 between a public library and a county contractual public library, the
 8 appointments under section 9(4) and 9(5) of this chapter shall be made
 9 as follows:

10 (1) One (1) member appointed by the executive of the
 11 municipality in which the principal administrative offices of the
 12 public library are located.

13 (2) One (1) member appointed by the legislative body of the
 14 municipality in which the principal administrative offices of the
 15 public library are located.

16 SECTION 229. IC 36-12-2-15, AS AMENDED BY P.L.119-2012,
 17 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE APRIL 1, 2022]: Sec. 15. (a) This section applies to the
 19 library board of a library district:

20 (1) located in a county having a population of more than ~~seventy~~
 21 ~~thousand (70,000) but less than seventy thousand fifty (70,050);~~
 22 **seventy-nine thousand (79,000) and less than eighty thousand**
 23 **(80,000);** and

24 (2) containing all or part of the territory of each school
 25 corporation in the county.

26 (b) Notwithstanding section 9 of this chapter, the library board has
 27 the following members:

28 (1) One (1) member appointed by the executive of the county in
 29 which the library district is located and who is not a member of
 30 the county executive.

31 (2) One (1) member appointed by the fiscal body of the county in
 32 which the library district is located and who is not a member of
 33 the county fiscal body.

34 (3) One (1) member appointed by the legislative body of the most
 35 populous city in the library district and who is not a member of
 36 the city legislative body.

37 (4) One (1) member appointed by the school board of each school
 38 corporation having territory in the library district and who is not
 39 a member of a governing body of a school corporation.

40 (c) An individual who is appointed under subsection (b) to serve as
 41 a member of a library board must, before March 1 of each year, report
 42 to the member's appointing authority concerning the work of the library



1 board and finances of the library during the preceding calendar year,
2 including the rate of taxation determined under IC 36-12-3-12.

3 SECTION 230. IC 36-12-3-8, AS AMENDED BY P.L.119-2012,
4 SECTION 250, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE APRIL 1, 2022]: Sec. 8. (a) This section applies to
6 municipal corporations located in a county having a population of more
7 than ~~thirty-five thousand (35,000)~~ but less than ~~thirty-seven thousand~~
8 ~~(37,000)~~: **thirty-five thousand nine hundred (35,900) and less than**
9 **thirty-six thousand (36,000).**

10 (b) A municipal corporation receiving library service under section
11 7 of this chapter shall:

12 (1) levy a tax sufficient to meet the amount of compensation
13 agreed on under the contract; or

14 (2) make the contract payments with revenue derived from a tax
15 being imposed before the contract is approved by the municipal
16 corporation, including the part of local income tax revenue that is
17 not required to be dedicated to providing property tax relief.

18 (c) A library board providing service shall expend all funds received
19 under a contract for library services chargeable to the contract.

20 SECTION 231. **An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 37, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

(Reference is to SB 37 as introduced.)

BRAY, Chairperson

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 37, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 128, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 142. IC 36-2-2-4, AS AMENDED BY P.L.271-2013, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This subsection does not apply to a county having a population of:

(1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(2) more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000). **subject to IC 36-2-3.5.**

The executive shall divide the county into three (3) districts that are composed of contiguous territory and are reasonably compact. The district boundaries drawn by the executive must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting under this section. If

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necessary, the county auditor shall call a special meeting of the executive to establish or revise districts.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county ~~having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000).~~ **that has elected to be subject to IC 36-2-3.5 under IC 36-2-3.5-1(2).** The executive shall divide the county into three (3) single-member districts that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

(e) Except as provided by subsection (g), a division under subsection (a), (b), or (c) shall be made:

- (1) during the first year after a year in which a federal decennial census is conducted; and
- (2) when the county adopts an order declaring a county boundary to be changed under IC 36-2-1-2.

(f) A division under subsection (a), (b), or (c) may be made in any odd-numbered year not described in subsection (e).

(g) This subsection applies during the first year after a year in which a federal decennial census is conducted. If the county executive or



county redistricting commission determines that a division under subsection (e) is not required, the county executive or county redistricting commission shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(h) Each time there is a division under subsection (e) or (f) or a recertification under subsection (g), the county executive or county redistricting commission shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e) or (f); or
- (2) recertified under subsection (g).

(i) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(j) If a conflict exists between:

- (1) a map showing the boundaries of a district; and
- (2) a description of the boundaries of that district set forth in the ordinance;

the district boundaries are the description of the boundaries set forth in the ordinance, not the boundaries shown on the map, to the extent there is a conflict between the description and the map.

SECTION 143. IC 36-2-2-4.7, AS AMENDED BY P.L.22-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4.7. (a) Except as provided in subsection (c), whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt an ordinance.

(b) The executive shall file a copy of an ordinance adopted under subsection (a) with the circuit court clerk.

(c) This subsection applies to a county ~~having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000).~~ **that has elected to be subject to IC 36-2-3.5 under IC 36-2-3.5-1(2).** Whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt a resolution at two (2) separate public meetings. The executive shall file a copy of the resolution adopted under this subsection with the circuit court clerk.

SECTION 144. IC 36-2-2-5, AS AMENDED BY P.L.119-2012,



SECTION 180, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) To be eligible for election to the executive, a person must meet the qualifications prescribed by IC 3-8-1-21.

(b) A member of the executive must reside within:

- (1) the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana; and
- (2) the district from which the member was elected.

(c) If the person does not remain a resident of the county and district after taking office, the person forfeits the office. The county fiscal body shall declare the office vacant whenever a member of the executive forfeits office under this subsection.

(d) In a county ~~having a population of:~~

- ~~(1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or~~
- ~~(2) more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~

subject to IC 36-2-3.5, one (1) member of the executive shall be elected by the voters of each of the three (3) single-member districts established under section 4(b) or 4(c) of this chapter. In other counties, all three (3) members of the executive shall be elected by the voters of the whole county.

SECTION 145. IC 36-2-3-2, AS AMENDED BY P.L.119-2012, SECTION 181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) The seven (7) member county council elected under this chapter is the county fiscal body. The fiscal body shall act in the name of "The _____ County Council".

(b) Notwithstanding subsection (a), in a county ~~having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000); that has elected to be subject to IC 36-2-3.5 under IC 36-2-3.5-1(2)~~, the county council has nine (9) members.

SECTION 146. IC 36-2-3-4, AS AMENDED BY P.L.278-2019, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This subsection does not apply to a county ~~having a population of:~~

- ~~(1) more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or~~
- ~~(2) more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~ **subject to IC 36-2-3.5.**

The county executive shall, by ordinance, divide the county into four (4) contiguous, single-member districts that comply with subsection



(d). If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts. One (1) member of the fiscal body shall be elected by the voters of each of the four (4) districts. Three (3) at-large members of the fiscal body shall be elected by the voters of the whole county.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). The county redistricting commission established under IC 36-2-2-4 shall divide the county into seven (7) single-member districts that comply with subsection (d). One (1) member of the fiscal body shall be elected by the voters of each of these seven (7) single-member districts.

(c) This subsection applies to a county ~~having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000):~~ **that has elected to be subject to IC 36-2-3.5 under IC 36-2-3.5-1(2).** The fiscal body shall divide the county into nine (9) single-member districts that comply with subsection (d). Three (3) of these districts must be contained within each of the three (3) districts established under IC 36-2-2-4(c). One (1) member of the fiscal body shall be elected by the voters of each of these nine (9) single-member districts.

(d) Single-member districts established under subsection (a), (b), or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) not cross precinct boundary lines;
- (3) contain, as nearly as possible, equal population; and
- (4) include whole townships, except when a division is clearly necessary to accomplish redistricting under this section.

(e) Except as provided by subsection (g), a division under subsection (a), (b), or (c) shall be made:

- (1) during the first year after a year in which a federal decennial census is conducted; and
- (2) when the county executive adopts an order declaring a county boundary to be changed under IC 36-2-1-2.

(f) A division under subsection (a), (b), or (c) may be made in any odd-numbered year not described in subsection (e).

(g) This subsection applies during the first year after a year in which a federal decennial census is conducted. If the county executive, county redistricting commission, or county fiscal body determines that a division under subsection (e) is not required, the county executive,



county redistricting commission, or county fiscal body shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(h) Each time there is a division under subsection (e) or (f) or a recertification under subsection (g), the county executive, county redistricting commission, or county fiscal body shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e) or (f); or
- (2) recertified under subsection (g).

(i) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(j) If a conflict exists between:

- (1) a map showing the boundaries of a district; and
- (2) a description of the boundaries of that district set forth in the ordinance;

the district boundaries are the description of the boundaries set forth in the ordinance, not the boundaries shown on the map, to the extent there is a conflict between the description and the map.

SECTION 147. IC 36-2-3.5-1, AS AMENDED BY P.L.119-2012, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to **the following counties:**

- (1) A county having a population of:
 - (A) ~~more than four hundred thousand (400,000) but and less than seven hundred thousand (700,000).~~ **or**
 - (B) ~~more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~ **and**
- (2) Any other county not having a consolidated city, if ~~both the county executive and the county fiscal body adopt identical ordinances~~ **adopts a resolution or an ordinance** providing for the county to be governed by this chapter beginning on a **date** specified ~~effective date:~~ **in the ordinance or resolution. The date specified in the ordinance or resolution may be retroactive."**

Delete pages 129 through 132.



Page 133, delete lines 1 through 37.
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 37 as printed January 7, 2022.)

BROWN L, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 37 be amended to read as follows:

Page 120, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 136. IC 33-40-6-4, AS AMENDED BY P.L.69-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) For purposes of this section, the term "county auditor" includes a person who:

- (1) is the auditor of a county that is a member of a multicounty public defender's office; and
- (2) is responsible for the receipt, disbursement, and accounting of all monies distributed to the multicounty public defender's office.

(b) A county auditor may submit on a quarterly basis a certified request to the public defender commission for reimbursement from the public defense fund for an amount equal to fifty percent (50%) of the county's expenditures for indigent defense services provided to a defendant against whom the death sentence is sought under IC 35-50-2-9.

(c) A county auditor may submit on a quarterly basis a certified request to the public defender commission for reimbursement from the public defense fund for an amount equal to forty percent (40%) of the county's or multicounty public defender's office's expenditures for indigent defense services provided in all noncapital cases except misdemeanors.

(d) A request under this section from a county described in ~~IC 33-40-7-1(3)~~ **IC 33-40-7-1(5)** may be limited to expenditures for indigent defense services provided by a particular division of a court."

Page 121, between lines 5 and 6, begin a new paragraph and insert:
"SECTION 138. IC 33-40-7-5, AS AMENDED BY P.L.69-2019,

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SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) The board, or joint board of a multicounty public defender's office created under section 3.5 of this chapter, shall prepare a comprehensive plan that must include at least one (1) of the following methods of providing legal defense services to indigent persons:

- (1) Establishing a county or multicounty public defender's office.
- (2) Contracting with an attorney, a group of attorneys, or a private organization.
- (3) Using an assigned counsel system of panel attorneys for case by case appointments under section 9 of this chapter.
- (4) In a county described in section ~~1(3)~~ **1(5)** of this chapter, establishing a public defender's office for the criminal division of the superior court.

(b) The plan prepared under subsection (a) shall be submitted to the Indiana public defender commission.

(c) If a multicounty public defender's joint board is established under section 3.5 of this chapter, the comprehensive plan shall establish a multicounty public defender's office.

SECTION 139. IC 33-40-7-11, AS AMENDED BY P.L.69-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 11. (a) For purposes of this section, the term "county auditor" includes a person who:

- (1) is the auditor of a county that is a member of a multicounty public defender's office described in section 3.5 of this chapter; and
- (2) is responsible for the receipt, disbursement, and accounting of all monies distributed to the multicounty public defender's office.

(b) A county public defender board or the joint board of a multicounty public defender's office shall submit a written request for reimbursement to the county auditor. The request must set forth the total of the county's or multicounty public defender's office's expenditures for indigent defense services to the county auditor and may be limited in a county described in section ~~1(3)~~ **1(5)** of this chapter to expenditures for indigent defense services provided by a particular division of a court. The county auditor shall review the request and certify the total of the county's or multicounty's expenditures for indigent defense services to the Indiana public defender commission.

(c) Upon certification by the Indiana public defender commission that the county's multicounty public defender's office's indigent defense services meet the commission's standards, the auditor of state shall issue a warrant to the treasurer of state for disbursement to the county



of a sum equal to forty percent (40%) of the county's multicounty public defender's office's certified expenditures for indigent defense services provided in noncapital cases except misdemeanors.

(d) If a county's indigent defense services fail to meet the standards adopted by the Indiana public defender commission, the public defender commission shall notify the county public defender board or the joint board of a multicounty public defender's office and the county fiscal body of the failure to comply with the Indiana public defender commission's standards. Unless the county or multicounty public defender board corrects the deficiencies to comply with the standards not more than ninety (90) days after the date of the notice, the county's or multicounty's eligibility for reimbursement from the public defense fund terminates at the close of that fiscal year."

Page 128, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 142. IC 36-2-2-4, AS AMENDED BY P.L.271-2013, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This subsection does not apply to ~~a county~~ **having a population of: the following counties:**

- (1) **A county having a population of** more than four hundred thousand (400,000) ~~but and~~ less than seven hundred thousand (700,000). ~~or~~
- (2) **A county having a population of** more than ~~two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000):~~ **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000).**

The executive shall divide the county into three (3) districts that are composed of contiguous territory and are reasonably compact. The district boundaries drawn by the executive must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting under this section. If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) ~~but and~~ less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by



the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred seventy thousand (270,000)~~; **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000)**. The executive shall divide the county into three (3) single-member districts that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

(e) Except as provided by subsection (g), a division under subsection (a), (b), or (c) shall be made:

- (1) during the first year after a year in which a federal decennial census is conducted; and
- (2) when the county adopts an order declaring a county boundary to be changed under IC 36-2-1-2.

(f) A division under subsection (a), (b), or (c) may be made in any odd-numbered year not described in subsection (e).

(g) This subsection applies during the first year after a year in which a federal decennial census is conducted. If the county executive or county redistricting commission determines that a division under subsection (e) is not required, the county executive or county redistricting commission shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(h) Each time there is a division under subsection (e) or (f) or a recertification under subsection (g), the county executive or county redistricting commission shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e) or (f); or
- (2) recertified under subsection (g).

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(i) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(j) If a conflict exists between:

- (1) a map showing the boundaries of a district; and
- (2) a description of the boundaries of that district set forth in the ordinance;

the district boundaries are the description of the boundaries set forth in the ordinance, not the boundaries shown on the map, to the extent there is a conflict between the description and the map.

SECTION 143. IC 36-2-2-4.7, AS AMENDED BY P.L.22-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4.7. (a) Except as provided in subsection (c), whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt an ordinance.

(b) The executive shall file a copy of an ordinance adopted under subsection (a) with the circuit court clerk.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred seventy thousand (270,000)~~: **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000)**. Whenever the executive divides the county into districts under section 4 of this chapter, the executive shall adopt a resolution at two (2) separate public meetings. The executive shall file a copy of the resolution adopted under this subsection with the circuit court clerk.

SECTION 144. IC 36-2-2-5, AS AMENDED BY P.L.119-2012, SECTION 180, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 5. (a) To be eligible for election to the executive, a person must meet the qualifications prescribed by IC 3-8-1-21.

(b) A member of the executive must reside within:

- (1) the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana; and
- (2) the district from which the member was elected.

(c) If the person does not remain a resident of the county and district after taking office, the person forfeits the office. The county fiscal body shall declare the office vacant whenever a member of the executive



forfeits office under this subsection.

(d) In a county having a population of:

- (1) more than four hundred thousand (400,000) ~~but and~~ less than seven hundred thousand (700,000); or
- (2) more than ~~two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~ **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000);**

one (1) member of the executive shall be elected by the voters of each of the three (3) single-member districts established under section 4(b) or 4(c) of this chapter. In other counties, all three (3) members of the executive shall be elected by the voters of the whole county.

SECTION 145. IC 36-2-3-2, AS AMENDED BY P.L.119-2012, SECTION 181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 2. (a) The seven (7) member county council elected under this chapter is the county fiscal body. The fiscal body shall act in the name of "The _____ County Council".

(b) Notwithstanding subsection (a), in a county having a population of more than ~~two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~ **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000)**, the county council has nine (9) members.

SECTION 146. IC 36-2-3-4, AS AMENDED BY P.L.278-2019, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 4. (a) This subsection does not apply to a county having a population of: **the following counties:**

- (1) **A county having a population of** more than four hundred thousand (400,000) ~~but and~~ less than seven hundred thousand (700,000). ~~or~~
- (2) **A county having a population of** more than ~~two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000);~~ **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000).**

The county executive shall, by ordinance, divide the county into four (4) contiguous, single-member districts that comply with subsection (d). If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts. One (1) member of the fiscal body shall be elected by the voters of each of the four (4) districts. Three (3) at-large members of the fiscal body shall be elected by the voters of the whole county.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) ~~but and~~ less than seven hundred



thousand (700,000). The county redistricting commission established under IC 36-2-2-4 shall divide the county into seven (7) single-member districts that comply with subsection (d). One (1) member of the fiscal body shall be elected by the voters of each of these seven (7) single-member districts.

(c) This subsection applies to a county having a population of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred seventy thousand (270,000)~~; **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000)**. The fiscal body shall divide the county into nine (9) single-member districts that comply with subsection (d). Three (3) of these districts must be contained within each of the three (3) districts established under IC 36-2-2-4(c). One (1) member of the fiscal body shall be elected by the voters of each of these nine (9) single-member districts.

(d) Single-member districts established under subsection (a), (b), or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) not cross precinct boundary lines;
- (3) contain, as nearly as possible, equal population; and
- (4) include whole townships, except when a division is clearly necessary to accomplish redistricting under this section.

(e) Except as provided by subsection (g), a division under subsection (a), (b), or (c) shall be made:

- (1) during the first year after a year in which a federal decennial census is conducted; and
- (2) when the county executive adopts an order declaring a county boundary to be changed under IC 36-2-1-2.

(f) A division under subsection (a), (b), or (c) may be made in any odd-numbered year not described in subsection (e).

(g) This subsection applies during the first year after a year in which a federal decennial census is conducted. If the county executive, county redistricting commission, or county fiscal body determines that a division under subsection (e) is not required, the county executive, county redistricting commission, or county fiscal body shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(h) Each time there is a division under subsection (e) or (f) or a recertification under subsection (g), the county executive, county redistricting commission, or county fiscal body shall file with the circuit court clerk of the county, not later than thirty (30) days after the



division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e) or (f); or
- (2) recertified under subsection (g).

(i) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(j) If a conflict exists between:

- (1) a map showing the boundaries of a district; and
- (2) a description of the boundaries of that district set forth in the ordinance;

the district boundaries are the description of the boundaries set forth in the ordinance, not the boundaries shown on the map, to the extent there is a conflict between the description and the map.

SECTION 147. IC 36-2-3.5-1, AS AMENDED BY P.L.119-2012, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1. This chapter applies to **the following counties:**

- (1) A county having a population of:
 - (A) more than four hundred thousand (400,000) ~~but~~ **and** less than seven hundred thousand (700,000). ~~or~~
 - (B) ~~more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000); and~~
- (2) A county having a population of more than two hundred fifty thousand (250,000) and less than three hundred thousand (300,000).**
- ~~(2)~~ **(3)** Any other county not having a consolidated city, if both the county executive and the county fiscal body adopt identical ordinances providing for the county to be governed by this chapter beginning on a specified effective date."

Delete pages 129 through 132.

Page 133, delete lines 1 through 30.

Page 172, line 36, delete "P.L.79-2021," and insert "THE TECHNICAL CORRECTIONS BILL OF THE 2022 GENERAL ASSEMBLY,".

Page 172, line 37, delete "SECTION 1,".

Page 174, line 14, after "(\$5,000,000)" delete ";" and insert "**per year;**".

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Page 174, line 32, strike "10(d)" and insert "**10(e)**".

Page 180, line 11, delete "P.L.165-2021," and insert "THE TECHNICAL CORRECTIONS BILL OF THE 2022 GENERAL ASSEMBLY,".

Page 180, line 12, delete "SECTION 209,".

Page 181, line 41, strike "subsection (f)." and insert "**subsection (e).**".

Renumber all SECTIONS consecutively.

(Reference is to SB 37 as printed January 21, 2022.)

BROWN L

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 37, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 116, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 129. IC 20-46-8-1, AS AMENDED BY P.L.159-2020, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2022]: Sec. 1. (a) A school corporation may impose an annual property tax levy for its operations fund.

(b) For property taxes first due and payable in 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund (IC 20-40-18) is the following:

STEP ONE: Determine the sum of the following:

(A) The 2018 maximum permissible transportation levy determined under IC 20-46-4 (repealed January 1, 2019).

(B) The 2018 maximum permissible school bus replacement levy determined under IC 20-46-5 (repealed January 1, 2019).

(C) The 2018 amount that would be raised from a capital projects fund tax rate equal to the sum of:

(i) the maximum capital projects fund rate that the school corporation was authorized to impose for 2018 under IC 20-46-6 (repealed January 1, 2019), after any adjustment under IC 6-1.1-18-12 (but excluding any rate imposed for qualified utility and insurance costs); plus

(ii) the capital projects fund rate imposed for qualified utility and insurance costs in 2018.

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(D) For school corporations described in IC 36-10-13-7, the 2018 levy as provided in section 6 of this chapter (repealed January 1, 2019) to provide funding for an art association.

(E) For a school corporation in a county having a population of more than ~~two hundred fifty thousand (250,000)~~ but less than ~~two hundred seventy thousand (270,000)~~; **two hundred fifty thousand (250,000) and less than three hundred thousand (300,000)**, the 2018 levy as provided in section 7 of this chapter (repealed January 1, 2019) to provide funding for a historical society.

(F) For a school corporation described in IC 36-10-14-1, the 2018 levy as provided in section 8 of this chapter (repealed January 1, 2019) to provide funding for a public playground.

STEP TWO: Determine the product of:

(A) The amount determined in STEP ONE, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to each of these levies for 2018 (regardless of whether the school corporation imposed the entire amount of that maximum permissible levy for the previous year); multiplied by

(B) the maximum levy growth quotient determined under IC 6-1.1-18.5-2.

STEP THREE: Determine the result of the following:

(A) Determine the sum of:

(i) the amount determined in STEP TWO; plus

(ii) the amount granted due to an appeal to increase the levy for transportation for 2019.

(B) Make the school bus replacement adjustment for 2019.

(c) After 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund for a particular year is the following:

STEP ONE: Determine the product of:

(A) the maximum permissible property tax levy for the school corporation's operations fund for the previous year, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the previous year (regardless of whether the school corporation imposed the entire amount of the maximum permissible levy for the previous year); multiplied by

(B) the maximum levy growth quotient determined under IC 6-1.1-18.5-2.

STEP TWO: Determine the result of the following:



- (A) Determine the sum of:
 - (i) the amount determined in STEP ONE; plus
 - (ii) the amount granted due to an appeal to increase the maximum permissible operations fund levy for the year under section 3 of this chapter for transportation.
- (B) Make the school bus replacement adjustment permitted by section 3 of this chapter."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 37 as reprinted January 26, 2022.)

WESCO

Committee Vote: yeas 10, nays 1.

