

HOUSE BILL No. 1309

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10; IC 3-11-2-12; IC 5-2-6.1-15; IC 6-1.1; IC 10-18-5; IC 12-7-2; IC 12-20; IC 12-30; IC 15-16; IC 16-23-9-0.5; IC 16-24; IC 16-41; IC 16-46-3-3; IC 20-33-5; IC 23-14; IC 25-15-9-18; IC 31-9-2-99.7; IC 32-26; IC 34-30-2-140; IC 35-43-5-1; IC 35-52-12; IC 36-1; IC 36-1.5-4-40.5; IC 36-2; IC 36-6; IC 36-7-4-208; IC 36-8; IC 36-10; IC 36-12-1.

Synopsis: Dissolution of township government. Provides that on January 1, 2019, in all counties (except Marion County) the following occur: (1) All township governments are dissolved and all township powers and duties are transferred to the county (including township assistance, fire protection, cemetery maintenance, weed control, parks, fence viewing, and any township libraries). (2) The duties and responsibilities of the township trustee are transferred to the county executive or the county executive's designee. (3) The duties and responsibilities of the township board are transferred to the county fiscal body. Provides that on January 1, 2019, in all counties (except Marion County) the following occur: (1) The transfer of powers and duties between a township and a county results in the transfer of the township's property, equipment, records, rights, contracts, and
(Continued next page)

Effective: July 1, 2015.

Ziemke

January 13, 2015, read first time and referred to Committee on Government and Regulatory Reform.



indebtedness. (2) All assets, debts, and contracts of a township are transferred to the county and the county assumes all township indebtedness. (3) The county may levy property taxes to pay township indebtedness or lease rental obligations incurred by a township only in the geographic area of the township that originally issued the debt or entered into the lease rental agreement, which comprises a taxing district for the payment of township indebtedness existing at the time of the transfer. Requires a county (excluding Marion County) to specify which township employees responsible for performing the duties and responsibilities of the township before its dissolution become county employees on January 1, 2019, responsible for performing the transferred township duties and responsibilities for the county. Changes all references to "township assistance" in the Indiana Code to "local assistance". Provides that local assistance is administered by an administrator as follows: (1) Before January 1, 2019, the administrator is the township trustee. (2) On January 1, 2019, the administrator is: (A) the township trustee of a township in Marion County; and (B) the county executive or county executive's designee of all other counties. Changes references in the Indiana Code from township trustee to administrator. Provides that beginning January 1, 2019, in all counties (except Marion County), the county executive administers the local assistance fund for the county in accordance with: (1) a county plan prepared and adopted by the county legislative body; and (2) local assistance standards. Beginning January 1, 2019, allows the county auditor of all counties (except Marion County) to make payments for claims payable from the county local assistance fund in advance of an allowance by the county executive. Makes provisions concerning distressed townships expire on January 1, 2019. Provides that effective January 1, 2019, in all counties (except Marion County), the county executive is responsible for providing fire protection and emergency services in the unincorporated areas of the county, and the powers and duties of township government and the township trustee related to providing fire protection and emergency services in the unincorporated areas of the county are transferred to the county. Requires the county legislative body to propose and adopt a county plan for provision of fire protection and emergency services in the unincorporated areas of the county through any combination of: (1) operating a county fire department; (2) contracting with or otherwise cooperating with any municipality, county, fire protection district, volunteer fire department, fire protection territory, or other entity; or (3) entering into mutual aid agreements. Provides that if a township is a participating unit in a fire protection territory or fire protection district, the county, on January 1, 2019: (1) shall assume the powers, duties, rights, responsibilities, and obligations of the township; and (2) may withdraw all or part of the township from the territory or district in accordance with the county fire plan. Provides that on January 1, 2019, for all counties (except Marion County): (1) establishes a county firefighting fund and maximum property tax levy for the county's firefighting fund; (2) establishes county firefighting powers and duties that are similar to the current township firefighting powers and duties; and (3) allows a county that establishes a county fire department to establish a merit system for the county fire department. Requires the department of local government finance to adjust maximum permissible property tax levies and property tax rates as necessary to account for transfers of duties, powers, and obligations. Makes provisions allowing townships to merge expire on January 1, 2019. (Under current law, these provisions do not apply to townships in Marion County.)



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1309



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

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

1 SECTION 1. IC 3-10-1-19, AS AMENDED BY P.L.77-2014,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 19. (a) The ballot for a primary election shall be
4 printed in substantially the following form for all the offices for which
5 candidates have qualified under IC 3-8:

6 OFFICIAL PRIMARY BALLOT

7 _____ Party

8 For paper ballots, print: To vote for a person, make a voting mark
9 (X or ✓) on or in the box before the person's name in the proper
10 column. For optical scan ballots, print: To vote for a person, darken or
11 shade in the circle, oval, or square (or draw a line to connect the arrow)
12 that precedes the person's name in the proper column. For optical scan
13 ballots that do not contain a candidate's name, print: To vote for a
14 person, darken or shade in the oval that precedes the number assigned



1 to the person's name in the proper column. For electronic voting
 2 systems, print: To vote for a person, touch the screen (or press the
 3 button) in the location indicated.

4 Vote for one (1) only

5 Representative in Congress

6 (1) AB _____

7 (2) CD _____

8 (3) EF _____

9 (4) GH _____

10 (b) Local public questions shall be placed on the primary election
 11 ballot after the voting instructions described in subsection (a) and
 12 before the offices described in subsection (e).

13 (c) The local public questions described in subsection (b) shall be
 14 placed:

- 15 (1) in a separate column on the ballot if voting is by paper ballot;
- 16 (2) after the voting instructions described in subsection (a) and
- 17 before the offices described in subsection (e), in the form
- 18 specified in IC 3-11-13-11 if voting is by ballot card; or
- 19 (3) as provided by either of the following if voting is by an
- 20 electronic voting system:

21 (A) On a separate screen for a public question.

22 (B) After the voting instructions described in subsection (a)
 23 and before the offices described in subsection (e), in the form
 24 specified in IC 3-11-14-3.5.

25 (d) A public question shall be placed on the primary election ballot
 26 in the following form:

27 (The explanatory text for the public question,
 28 if required by law.)
 29 "Shall (insert public question)?"

30 YES

31 NO

32 (e) The offices with candidates for nomination shall be placed on
 33 the primary election ballot in the following order:

- 34 (1) Federal and state offices:
 - 35 (A) President of the United States.
 - 36 (B) United States Senator.
 - 37 (C) Governor.
 - 38 (D) United States Representative.
- 39 (2) Legislative offices:
 - 40 (A) State senator.
 - 41 (B) State representative.
- 42 (3) Circuit offices and county judicial offices:



- 1 (A) Judge of the circuit court, and unless otherwise specified
 2 under IC 33, with each division separate if there is more than
 3 one (1) judge of the circuit court.
 4 (B) Judge of the superior court, and unless otherwise specified
 5 under IC 33, with each division separate if there is more than
 6 one (1) judge of the superior court.
 7 (C) Judge of the probate court.
 8 (D) Prosecuting attorney.
 9 (E) Circuit court clerk.
 10 (4) County offices:
 11 (A) County auditor.
 12 (B) County recorder.
 13 (C) County treasurer.
 14 (D) County sheriff.
 15 (E) County coroner.
 16 (F) County surveyor.
 17 (G) County assessor.
 18 (H) County commissioner. This clause applies only to a county
 19 that is not subject to IC 36-2-2.5.
 20 (I) Single county executive. This clause applies only to a
 21 county that is subject to IC 36-2-2.5.
 22 (J) County council member.
 23 (5) Township offices:
 24 (A) Township assessor (only in a township referred to in
 25 IC 36-6-5-1(d)). **This clause does not apply to elections in**
 26 **2018 and thereafter.**
 27 (B) Township trustee. **This clause does not apply to elections**
 28 **in 2018 and thereafter in a county not having a**
 29 **consolidated city.**
 30 (C) Township board member. **This clause does not apply to**
 31 **elections in 2018 and thereafter in a county not having a**
 32 **consolidated city.**
 33 (D) Judge of the small claims court.
 34 (E) Constable of the small claims court.
 35 (6) City offices:
 36 (A) Mayor.
 37 (B) Clerk or clerk-treasurer.
 38 (C) Judge of the city court.
 39 (D) City-county council member or common council member.
 40 (7) Town offices:
 41 (A) Clerk-treasurer.
 42 (B) Judge of the town court.



- 1 (C) Town council member.
- 2 (f) The political party offices with candidates for election shall be
- 3 placed on the primary election ballot in the following order after the
- 4 offices described in subsection (e):
- 5 (1) Precinct committeeman.
- 6 (2) State convention delegate.
- 7 (g) The local offices to be elected at the primary election shall be
- 8 placed on the primary election ballot after the offices described in
- 9 subsection (f).
- 10 (h) The offices described in subsection (g) shall be placed:
- 11 (1) in a separate column on the ballot if voting is by paper ballot;
- 12 (2) after the offices described in subsection (f) in the form
- 13 specified in IC 3-11-13-11 if voting is by ballot card; or
- 14 (3) either:
- 15 (A) on a separate screen for each office or public question; or
- 16 (B) after the offices described in subsection (f) in the form
- 17 specified in IC 3-11-14-3.5;
- 18 if voting is by an electronic voting system.
- 19 SECTION 2. IC 3-10-2-13, AS AMENDED BY P.L.77-2014,
- 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2015]: Sec. 13. The following public officials shall be elected
- 22 at the general election before their terms of office expire and every four
- 23 (4) years thereafter:
- 24 (1) Clerk of the circuit court.
- 25 (2) County auditor.
- 26 (3) County recorder.
- 27 (4) County treasurer.
- 28 (5) County sheriff.
- 29 (6) County coroner.
- 30 (7) County surveyor.
- 31 (8) County assessor.
- 32 (9) County commissioner. This subdivision applies only to a
- 33 county that is not subject to IC 36-2-2.5.
- 34 (10) Single county executive. This subdivision applies only to a
- 35 county that is subject to IC 36-2-2.5.
- 36 (11) County council member.
- 37 (12) Township trustee. **This subdivision does not apply to**
- 38 **elections in 2018 and thereafter in a county not having a**
- 39 **consolidated city.**
- 40 (13) Township board member. **This subdivision does not apply**
- 41 **to elections in 2018 and thereafter in a county not having a**
- 42 **consolidated city.**



- 1 (14) Township assessor (only in a township referred to in
 2 IC 36-6-5-1(d)). **This subdivision does not apply to elections in**
 3 **2018 and thereafter.**
 4 (15) Judge of a small claims court.
 5 (16) Constable of a small claims court.
 6 SECTION 3. IC 3-11-2-12, AS AMENDED BY P.L.77-2014,
 7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 12. The following offices shall be placed on the
 9 general election ballot in the following order after the public questions
 10 described in section 10(a) of this chapter:
 11 (1) Federal and state offices:
 12 (A) President and Vice President of the United States.
 13 (B) United States Senator.
 14 (C) Governor and lieutenant governor.
 15 (D) Secretary of state.
 16 (E) Auditor of state.
 17 (F) Treasurer of state.
 18 (G) Attorney general.
 19 (H) Superintendent of public instruction.
 20 (I) United States Representative.
 21 (2) Legislative offices:
 22 (A) State senator.
 23 (B) State representative.
 24 (3) Circuit offices and county judicial offices:
 25 (A) Judge of the circuit court, and unless otherwise specified
 26 under IC 33, with each division separate if there is more than
 27 one (1) judge of the circuit court.
 28 (B) Judge of the superior court, and unless otherwise specified
 29 under IC 33, with each division separate if there is more than
 30 one (1) judge of the superior court.
 31 (C) Judge of the probate court.
 32 (D) Prosecuting attorney.
 33 (E) Clerk of the circuit court.
 34 (4) County offices:
 35 (A) County auditor.
 36 (B) County recorder.
 37 (C) County treasurer.
 38 (D) County sheriff.
 39 (E) County coroner.
 40 (F) County surveyor.
 41 (G) County assessor.
 42 (H) County commissioner. This clause applies only to a county



- 1 that is not subject to IC 36-2-2.5.
 2 (I) Single county executive. This clause applies only to a
 3 county that is subject to IC 36-2-2.5.
 4 (J) County council member.
 5 (5) Township offices:
 6 (A) Township assessor (only in a township referred to in
 7 IC 36-6-5-1(d)). **This clause does not apply to elections in**
 8 **2018 and thereafter.**
 9 (B) Township trustee. **This clause does not apply to elections**
 10 **in 2018 and thereafter in a county not having a**
 11 **consolidated city.**
 12 (C) Township board member. **This clause does not apply to**
 13 **elections in 2018 and thereafter in a county not having a**
 14 **consolidated city.**
 15 (D) Judge of the small claims court.
 16 (E) Constable of the small claims court.
 17 (6) City offices:
 18 (A) Mayor.
 19 (B) Clerk or clerk-treasurer.
 20 (C) Judge of the city court.
 21 (D) City-county council member or common council member.
 22 (7) Town offices:
 23 (A) Clerk-treasurer.
 24 (B) Judge of the town court.
 25 (C) Town council member.

26 SECTION 4. IC 5-2-6.1-15, AS AMENDED BY P.L.129-2009,
 27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 15. (a) If a victim of a violent crime dies as a
 29 result of the crime, the division may pay the reasonable expenses
 30 incurred for funeral, burial, or cremation.

31 (b) The division shall adopt guidelines to determine when the
 32 payment of expenses under subsection (a) is appropriate. In adopting
 33 guidelines under this subsection, the division shall consider the
 34 availability of other sources of compensation, including ~~township~~ **local**
 35 **assistance under IC 12-20 and IC 12-30-4** and federal programs.

36 SECTION 5. IC 6-1.1-11-4, AS AMENDED BY P.L.183-2014,
 37 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 4. (a) The exemption application referred to in
 39 section 3 of this chapter is not required if the exempt property is owned
 40 by the United States, the state, an agency of this state, or a political
 41 subdivision (as defined in IC 36-1-2-13). However, this subsection
 42 applies only when the property is used, and in the case of real property



- 1 occupied, by the owner.
- 2 (b) The exemption application referred to in section 3 of this chapter
3 is not required if the exempt property is a cemetery:
4 (1) described by IC 6-1.1-2-7; or
5 (2) maintained by a township executive under IC 23-14-68 or
6 **(after December 31, 2018) by the county executive or county**
7 **executive's designee in a county not having a consolidated**
8 **city.**
- 9 (c) The exemption application referred to in section 3 of this chapter
10 is not required if the exempt property is owned by the bureau of motor
11 vehicles commission established under IC 9-15-1.
- 12 (d) The exemption application referred to in section 3 or 3.5 of this
13 chapter is not required if:
14 (1) the exempt property is:
15 (A) tangible property used for religious purposes described in
16 IC 6-1.1-10-21;
17 (B) tangible property owned by a church or religious society
18 used for educational purposes described in IC 6-1.1-10-16;
19 (C) other tangible property owned, occupied, and used by a
20 person for educational, literary, scientific, religious, or
21 charitable purposes described in IC 6-1.1-10-16; or
22 (D) other tangible property owned by a fraternity or sorority
23 (as defined in IC 6-1.1-10-24).
24 (2) the exemption application referred to in section 3 or 3.5 of this
25 chapter was filed properly at least once for a religious use under
26 IC 6-1.1-10-21, an educational, literary, scientific, religious, or
27 charitable use under IC 6-1.1-10-16, or use by a fraternity or
28 sorority under IC 6-1.1-10-24; and
29 (3) the property continues to meet the requirements for an
30 exemption under IC 6-1.1-10-16, IC 6-1.1-10-21, or
31 IC 6-1.1-10-24.
- 32 (e) If, after an assessment date, an exempt property is transferred or
33 its use is changed resulting in its ineligibility for an exemption under
34 IC 6-1.1-10, the county assessor shall terminate the exemption for that
35 assessment date. However, if the property remains eligible for an
36 exemption under IC 6-1.1-10 following the transfer or change in use,
37 the exemption shall be left in place for that assessment date. For the
38 following assessment date, the person that obtained the exemption or
39 the current owner of the property, as applicable, shall, under section 3
40 of this chapter and except as provided in this section, file a certified
41 application in duplicate with the county assessor of the county in which
42 the property that is the subject of the exemption is located. In all cases,



1 the person that obtained the exemption or the current owner of the
 2 property shall notify the county assessor for the county where the
 3 tangible property is located of the change in ownership or use in the
 4 year that the change occurs. The notice must be in the form prescribed
 5 by the department of local government finance.

6 (f) If the county assessor discovers that title to or use of property
 7 granted an exemption under IC 6-1.1-10 has changed, the county
 8 assessor shall notify the persons entitled to a tax statement under
 9 IC 6-1.1-22-8.1 for the property of the change in title or use and
 10 indicate that the county auditor will suspend the exemption for the
 11 property until the persons provide the county assessor with an affidavit,
 12 signed under penalties of perjury, that identifies the new owners or use
 13 of the property and indicates whether the property continues to meet
 14 the requirements for an exemption under IC 6-1.1-10. Upon receipt of
 15 the affidavit, the county assessor shall reinstate the exemption under
 16 IC 6-1.1-15-12. However, a claim under IC 6-1.1-26-1 for a refund of
 17 all or a part of a tax installment paid and any correction of error under
 18 IC 6-1.1-15-12 must be filed not later than three (3) years after the
 19 taxes are first due.

20 SECTION 6. IC 6-1.1-17-2, AS AMENDED BY P.L.1-2006,
 21 SECTION 135, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) When formulating an annual
 23 budget estimate, the proper officers of a political subdivision shall
 24 prepare an estimate of the amount of revenue which the political
 25 subdivision will receive from the state for and during the budget year
 26 for which the budget is being formulated. These estimated revenues
 27 shall be shown in the budget estimate and shall be taken into
 28 consideration in calculating the tax levy which is to be made for the
 29 ensuing calendar year. However, this section does not apply to funds
 30 to be received from the state or the federal government for:

- 31 (1) ~~township~~ **local** assistance;
 32 (2) unemployment relief;
 33 (3) old age pensions; or
 34 (4) other funds which may at any time be made available under
 35 "The Economic Security Act" or under any other federal act
 36 which provides for civil and public works projects.

37 (b) When formulating an annual budget estimate, the proper officers
 38 of a political subdivision shall prepare an estimate of the amount of
 39 revenue that the political subdivision will receive under a development
 40 agreement (as defined in IC 36-1-8-9.5) for and during the budget year
 41 for which the budget is being formulated. Revenue received under a
 42 development agreement may not be used to reduce the political



1 subdivision's maximum levy under IC 6-1.1-18.5 but may be used at
 2 the discretion of the political subdivision to reduce the property tax
 3 levy of the political subdivision for a particular year.

4 SECTION 7. IC 6-1.1-17-3, AS AMENDED BY P.L.183-2014,
 5 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 3. (a) The proper officers of a political subdivision
 7 shall formulate its estimated budget and its proposed tax rate and tax
 8 levy on the form prescribed by the department of local government
 9 finance and approved by the state board of accounts. The political
 10 subdivision or appropriate fiscal body, if the political subdivision is
 11 subject to section 20 of this chapter, shall (before January 1, 2015) at
 12 least ten (10) days before the public hearing, give notice to taxpayers
 13 of:

- 14 (1) the estimated budget;
- 15 (2) the estimated maximum permissible levy;
- 16 (3) the current and proposed tax levies of each fund; and
- 17 (4) the amounts of excessive levy appeals to be requested.

18 The political subdivision or appropriate fiscal body shall also state the
 19 time and place at which the political subdivision or appropriate fiscal
 20 body will hold a public hearing on these items. The political
 21 subdivision or appropriate fiscal body shall (before January 1, 2015)
 22 publish the notice twice in accordance with IC 5-3-1 with the first
 23 publication at least ten (10) days before the date fixed for the public
 24 hearing. The first publication must be before September 14, and the
 25 second publication must be before September 21 of the year. The
 26 political subdivision shall pay for the publishing of the notice. The
 27 political subdivision shall submit this information to the department's
 28 computer gateway before September 14 of each year and at least ten
 29 (10) days before the public hearing required by this subsection in the
 30 manner prescribed by the department. The department shall make this
 31 information available to taxpayers, at least ten (10) days before the
 32 public hearing, through its computer gateway and provide a telephone
 33 number through which taxpayers may request mailed copies of a
 34 political subdivision's information under this subsection. The
 35 department's computer gateway must allow a taxpayer to search for the
 36 information under this subsection by the taxpayer's address. The
 37 department shall review only the submission to the department's
 38 computer gateway for compliance with this section.

39 (b) For taxes due and payable in 2015 and 2016, each county shall
 40 publish a notice in accordance with IC 5-3-1 in two (2) newspapers
 41 published in the county stating the Internet address at which the
 42 information under subsection (a) is available and the telephone number



1 through which taxpayers may request copies of a political subdivision's
2 information under subsection (a). If only one (1) newspaper is
3 published in the county, publication in that newspaper is sufficient. The
4 department of local government finance shall prescribe the notice.
5 Notice under this subsection shall be published before September 14.
6 Counties may seek reimbursement from the political subdivisions
7 within their legal boundaries for the cost of the notice required under
8 this subsection. The actions under this subsection shall be completed
9 in the manner prescribed by the department.

10 (c) The board of directors of a solid waste management district
11 established under IC 13-21 or IC 13-9.5-2 (before its repeal) may
12 conduct the public hearing required under subsection (a):

- 13 (1) in any county of the solid waste management district; and
14 (2) in accordance with the annual notice of meetings published
15 under IC 13-21-5-2.

16 (d) The trustee of each township in the county shall estimate the
17 amount necessary to meet the cost of ~~township~~ **local** assistance in the
18 township for the ensuing calendar year. The township board shall adopt
19 with the township budget a tax rate sufficient to meet the estimated cost
20 of ~~township~~ **local** assistance. The taxes collected as a result of the tax
21 rate adopted under this subsection are credited to the ~~township~~ **local**
22 assistance fund. **After December 31, 2018, this subsection applies**
23 **only to a township in a county having a consolidated city.**

24 (e) A political subdivision for which any of the information under
25 subsection (a) is not (before January 1, 2015) published and is not
26 submitted to the department's computer gateway in the manner
27 prescribed by the department shall have its most recent annual
28 appropriations and annual tax levy continued for the ensuing budget
29 year.

30 (f) If a political subdivision or appropriate fiscal body timely
31 publishes (before January 1, 2015) and timely submits the information
32 under subsection (a) but subsequently discovers the information
33 contains a typographical error, the political subdivision or appropriate
34 fiscal body may request permission from the department to submit
35 amended information to the department's computer gateway and
36 (before January 1, 2015) to publish the amended information. However,
37 such a request must occur not later than seven (7) days before the
38 public hearing held under subsection (a). Acknowledgment of the
39 correction of an error shall be posted on the department's computer
40 gateway and communicated by the political subdivision or appropriate
41 fiscal body to the fiscal body of the county in which the political
42 subdivision and appropriate fiscal body are located.



1 **(g) This subsection does not apply to a county having a**
 2 **consolidated city. This subsection applies to budgets for calendar**
 3 **years after 2018 and to property taxes first due and payable after**
 4 **2018. Notwithstanding any other law, in 2018 and each year**
 5 **thereafter, the county executive shall estimate the amount**
 6 **necessary to meet the cost of local assistance in the county for the**
 7 **ensuing calendar year. The county fiscal body shall adopt with the**
 8 **county budget for property taxes due in 2019 and each year**
 9 **thereafter a uniform tax rate throughout the county sufficient to**
 10 **meet the estimated cost of local assistance in the county. The taxes**
 11 **collected as a result of the tax rate adopted under this subsection**
 12 **shall be credited to the local assistance fund established under**
 13 **IC 12-20-21-6.**

14 **(h) This subsection does not apply to a county having a**
 15 **consolidated city. This subsection applies to budgets for calendar**
 16 **years after 2018 and to property taxes first due and payable after**
 17 **2018. Notwithstanding any other law, in 2018 and each year**
 18 **thereafter, the county fiscal body shall adopt with the county**
 19 **budget for 2018 and thereafter:**

20 **(1) the budget to carry out the county's firefighting and**
 21 **emergency services powers and duties in unincorporated**
 22 **areas of the county; and**

23 **(2) the property tax levy for the county firefighting fund**
 24 **under IC 6-1.1-18.5-18.5 and IC 36-8-13.7.**

25 SECTION 8. IC 6-1.1-17-14, AS AMENDED BY P.L.182-2009(ss),
 26 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2015]: Sec. 14. The county auditor shall initiate
 28 an appeal to the department of local government finance if the county
 29 fiscal body or the county board of tax adjustment reduces a ~~township~~
 30 **local** assistance tax rate below the rate necessary to meet the estimated
 31 cost of ~~township local~~ assistance.

32 SECTION 9. IC 6-1.1-18.5-10.2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.2. **(a)** For purposes
 34 of determining the property tax levy limit imposed on a township under
 35 section 3 of this chapter, the township ad valorem property tax levy for
 36 a particular calendar year does not include the amount, if any, of ad
 37 valorem property taxes that would be first due and payable to the
 38 township during the ensuing calendar year under the authority of
 39 IC 36-8-13-4. The amount of ad valorem property taxes levied by the
 40 township under the authority of IC 36-8-13-4 shall, for purposes of the
 41 property tax levy limits imposed under section 3 of this chapter, be
 42 treated as if that levy were made by a separate civil taxing unit.



1 **(b) For purposes of determining the property tax levy limit**
 2 **imposed on a county under section 3 of this chapter, the county ad**
 3 **valorem property tax levy for a particular calendar year does not**
 4 **include the amount, if any, of ad valorem property taxes imposed**
 5 **under IC 36-8-13.7-5 that would be first due and payable to the**
 6 **county during the ensuing calendar year. The amount of ad**
 7 **valorem property taxes levied by the county under IC 36-8-13.7-5**
 8 **shall, for purposes of the property tax levy limits imposed under**
 9 **section 3 of this chapter, be treated as if that levy were made by a**
 10 **separate civil taxing unit.**

11 SECTION 10. IC 6-1.1-18.5-13, AS AMENDED BY P.L.218-2013,
 12 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 13. (a) With respect to an appeal filed under
 14 section 12 of this chapter, the department may find that a civil taxing
 15 unit should receive any one (1) or more of the following types of relief:

16 (1) Permission to the civil taxing unit to increase its levy in excess
 17 of the limitations established under section 3 of this chapter, if in
 18 the judgment of the department the increase is reasonably
 19 necessary due to increased costs of the civil taxing unit resulting
 20 from annexation, consolidation, or other extensions of
 21 governmental services by the civil taxing unit to additional
 22 geographic areas or persons. With respect to annexation,
 23 consolidation, or other extensions of governmental services in a
 24 calendar year, if those increased costs are incurred by the civil
 25 taxing unit in that calendar year and more than one (1)
 26 immediately succeeding calendar year, the unit may appeal under
 27 section 12 of this chapter for permission to increase its levy under
 28 this subdivision based on those increased costs in any of the
 29 following:

30 (A) The first calendar year in which those costs are incurred.

31 (B) One (1) or more of the immediately succeeding four (4)
 32 calendar years.

33 (2) A levy increase may not be granted under this subdivision for
 34 property taxes first due and payable after December 31, 2008.
 35 Permission to the civil taxing unit to increase its levy in excess of
 36 the limitations established under section 3 of this chapter, if the
 37 local government tax control board finds that the civil taxing unit
 38 needs the increase to meet the civil taxing unit's share of the costs
 39 of operating a court established by statute enacted after December
 40 31, 1973. Before recommending such an increase, the local
 41 government tax control board shall consider all other revenues
 42 available to the civil taxing unit that could be applied for that



1 purpose. The maximum aggregate levy increases that the local
 2 government tax control board may recommend for a particular
 3 court equals the civil taxing unit's estimate of the unit's share of
 4 the costs of operating a court for the first full calendar year in
 5 which it is in existence. For purposes of this subdivision, costs of
 6 operating a court include:

- 7 (A) the cost of personal services (including fringe benefits);
- 8 (B) the cost of supplies; and
- 9 (C) any other cost directly related to the operation of the court.

10 (3) Permission to the civil taxing unit to increase its levy in excess
 11 of the limitations established under section 3 of this chapter, if the
 12 department finds that the quotient determined under STEP SIX of
 13 the following formula is equal to or greater than one and
 14 two-hundredths (1.02):

15 STEP ONE: Determine the three (3) calendar years that most
 16 immediately precede the ensuing calendar year and in which
 17 a statewide general reassessment of real property under
 18 IC 6-1.1-4-4 does not first become effective.

19 STEP TWO: Compute separately, for each of the calendar
 20 years determined in STEP ONE, the quotient (rounded to the
 21 nearest ten-thousandth (0.0001)) of the sum of the civil taxing
 22 unit's total assessed value of all taxable property and:

23 (i) for a particular calendar year before 2007, the total
 24 assessed value of property tax deductions in the unit under
 25 IC 6-1.1-12-41 or IC 6-1.1-12-42 in the particular calendar
 26 year; or

27 (ii) for a particular calendar year after 2006, the total
 28 assessed value of property tax deductions that applied in the
 29 unit under IC 6-1.1-12-42 in 2006 plus for a particular
 30 calendar year after 2009, the total assessed value of property
 31 tax deductions that applied in the unit under
 32 IC 6-1.1-12-37.5 in 2008;

33 divided by the sum determined under this STEP for the
 34 calendar year immediately preceding the particular calendar
 35 year.

36 STEP THREE: Divide the sum of the three (3) quotients
 37 computed in STEP TWO by three (3).

38 STEP FOUR: Compute separately, for each of the calendar
 39 years determined in STEP ONE, the quotient (rounded to the
 40 nearest ten-thousandth (0.0001)) of the sum of the total
 41 assessed value of all taxable property in all counties and:

42 (i) for a particular calendar year before 2007, the total



- 1 assessed value of property tax deductions in all counties
2 under IC 6-1.1-12-41 or IC 6-1.1-12-42 in the particular
3 calendar year; or
4 (ii) for a particular calendar year after 2006, the total
5 assessed value of property tax deductions that applied in all
6 counties under IC 6-1.1-12-42 in 2006 plus for a particular
7 calendar year after 2009, the total assessed value of property
8 tax deductions that applied in the unit under
9 IC 6-1.1-12-37.5 in 2008;
10 divided by the sum determined under this STEP for the
11 calendar year immediately preceding the particular calendar
12 year.
13 STEP FIVE: Divide the sum of the three (3) quotients
14 computed in STEP FOUR by three (3).
15 STEP SIX: Divide the STEP THREE amount by the STEP
16 FIVE amount.
- 17 The civil taxing unit may increase its levy by a percentage not
18 greater than the percentage by which the STEP THREE amount
19 exceeds the percentage by which the civil taxing unit may
20 increase its levy under section 3 of this chapter based on the
21 assessed value growth quotient determined under section 2 of this
22 chapter.
- 23 (4) A levy increase may not be granted under this subdivision for
24 property taxes first due and payable after December 31, 2008.
25 Permission to the civil taxing unit to increase its levy in excess of
26 the limitations established under section 3 of this chapter, if the
27 local government tax control board finds that the civil taxing unit
28 needs the increase to pay the costs of furnishing fire protection for
29 the civil taxing unit through a volunteer fire department. For
30 purposes of determining a township's need for an increased levy,
31 the local government tax control board shall not consider the
32 amount of money borrowed under IC 36-6-6-14 during the
33 immediately preceding calendar year. However, any increase in
34 the amount of the civil taxing unit's levy recommended by the
35 local government tax control board under this subdivision for the
36 ensuing calendar year may not exceed the lesser of:
- 37 (A) ten thousand dollars (\$10,000); or
38 (B) twenty percent (20%) of:
- 39 (i) the amount authorized for operating expenses of a
40 volunteer fire department in the budget of the civil taxing
41 unit for the immediately preceding calendar year; plus
42 (ii) the amount of any additional appropriations authorized



1 during that calendar year for the civil taxing unit's use in
 2 paying operating expenses of a volunteer fire department
 3 under this chapter; minus

4 (iii) the amount of money borrowed under IC 36-6-6-14
 5 during that calendar year for the civil taxing unit's use in
 6 paying operating expenses of a volunteer fire department.

7 (5) A levy increase may not be granted under this subdivision for
 8 property taxes first due and payable after December 31, 2008.
 9 Permission to a civil taxing unit to increase its levy in excess of
 10 the limitations established under section 3 of this chapter in order
 11 to raise revenues for pension payments and contributions the civil
 12 taxing unit is required to make under IC 36-8. The maximum
 13 increase in a civil taxing unit's levy that may be recommended
 14 under this subdivision for an ensuing calendar year equals the
 15 amount, if any, by which the pension payments and contributions
 16 the civil taxing unit is required to make under IC 36-8 during the
 17 ensuing calendar year exceeds the product of one and one-tenth
 18 (1.1) multiplied by the pension payments and contributions made
 19 by the civil taxing unit under IC 36-8 during the calendar year that
 20 immediately precedes the ensuing calendar year. For purposes of
 21 this subdivision, "pension payments and contributions made by a
 22 civil taxing unit" does not include that part of the payments or
 23 contributions that are funded by distributions made to a civil
 24 taxing unit by the state.

25 (6) A levy increase may not be granted under this subdivision for
 26 property taxes first due and payable after December 31, 2008.
 27 Permission to increase its levy in excess of the limitations
 28 established under section 3 of this chapter if the local government
 29 tax control board finds that:

30 (A) the township's ~~township~~ **local** assistance ad valorem
 31 property tax rate is less than one and sixty-seven hundredths
 32 cents (\$0.0167) per one hundred dollars (\$100) of assessed
 33 valuation; and

34 (B) the township needs the increase to meet the costs of
 35 providing ~~township~~ **local** assistance under IC 12-20 and
 36 IC 12-30-4.

37 The maximum increase that the board may recommend for a
 38 township is the levy that would result from an increase in the
 39 township's ~~township~~ **local** assistance ad valorem property tax rate
 40 of one and sixty-seven hundredths cents (\$0.0167) per one
 41 hundred dollars (\$100) of assessed valuation minus the township's
 42 ad valorem property tax rate per one hundred dollars (\$100) of



1 assessed valuation before the increase.

2 (7) A levy increase may not be granted under this subdivision for
3 property taxes first due and payable after December 31, 2008.
4 Permission to a civil taxing unit to increase its levy in excess of
5 the limitations established under section 3 of this chapter if:

6 (A) the increase has been approved by the legislative body of
7 the municipality with the largest population where the civil
8 taxing unit provides public transportation services; and

9 (B) the local government tax control board finds that the civil
10 taxing unit needs the increase to provide adequate public
11 transportation services.

12 The local government tax control board shall consider tax rates
13 and levies in civil taxing units of comparable population, and the
14 effect (if any) of a loss of federal or other funds to the civil taxing
15 unit that might have been used for public transportation purposes.
16 However, the increase that the board may recommend under this
17 subdivision for a civil taxing unit may not exceed the revenue that
18 would be raised by the civil taxing unit based on a property tax
19 rate of one cent (\$0.01) per one hundred dollars (\$100) of
20 assessed valuation.

21 (8) A levy increase may not be granted under this subdivision for
22 property taxes first due and payable after December 31, 2008.
23 Permission to a civil taxing unit to increase the unit's levy in
24 excess of the limitations established under section 3 of this
25 chapter if the local government tax control board finds that:

26 (A) the civil taxing unit is:

27 (i) a county having a population of more than one hundred
28 seventy thousand (170,000) but less than one hundred
29 seventy-five thousand (175,000);

30 (ii) a city having a population of more than sixty-five
31 thousand (65,000) but less than seventy thousand (70,000);

32 (iii) a city having a population of more than twenty-nine
33 thousand five hundred (29,500) but less than twenty-nine
34 thousand six hundred (29,600);

35 (iv) a city having a population of more than thirteen
36 thousand four hundred fifty (13,450) but less than thirteen
37 thousand five hundred (13,500); or

38 (v) a city having a population of more than eight thousand
39 seven hundred (8,700) but less than nine thousand (9,000);
40 and

41 (B) the increase is necessary to provide funding to undertake
42 removal (as defined in IC 13-11-2-187) and remedial action



1 (as defined in IC 13-11-2-185) relating to hazardous
 2 substances (as defined in IC 13-11-2-98) in solid waste
 3 disposal facilities or industrial sites in the civil taxing unit that
 4 have become a menace to the public health and welfare.

5 The maximum increase that the local government tax control
 6 board may recommend for such a civil taxing unit is the levy that
 7 would result from a property tax rate of six and sixty-seven
 8 hundredths cents (\$0.0667) for each one hundred dollars (\$100)
 9 of assessed valuation. For purposes of computing the ad valorem
 10 property tax levy limit imposed on a civil taxing unit under
 11 section 3 of this chapter, the civil taxing unit's ad valorem
 12 property tax levy for a particular year does not include that part of
 13 the levy imposed under this subdivision. In addition, a property
 14 tax increase permitted under this subdivision may be imposed for
 15 only two (2) calendar years.

16 (9) A levy increase may not be granted under this subdivision for
 17 property taxes first due and payable after December 31, 2008.
 18 Permission for a county:

19 (A) having a population of more than eighty thousand (80,000)
 20 but less than ninety thousand (90,000) to increase the county's
 21 levy in excess of the limitations established under section 3 of
 22 this chapter, if the local government tax control board finds
 23 that the county needs the increase to meet the county's share of
 24 the costs of operating a jail or juvenile detention center,
 25 including expansion of the facility, if the jail or juvenile
 26 detention center is opened after December 31, 1991;

27 (B) that operates a county jail or juvenile detention center that
 28 is subject to an order that:

29 (i) was issued by a federal district court; and

30 (ii) has not been terminated;

31 (C) that operates a county jail that fails to meet:

32 (i) American Correctional Association Jail Construction
 33 Standards; and

34 (ii) Indiana jail operation standards adopted by the
 35 department of correction; or

36 (D) that operates a juvenile detention center that fails to meet
 37 standards equivalent to the standards described in clause (C)
 38 for the operation of juvenile detention centers.

39 Before recommending an increase, the local government tax
 40 control board shall consider all other revenues available to the
 41 county that could be applied for that purpose. An appeal for
 42 operating funds for a jail or a juvenile detention center shall be



1 considered individually, if a jail and juvenile detention center are
 2 both opened in one (1) county. The maximum aggregate levy
 3 increases that the local government tax control board may
 4 recommend for a county equals the county's share of the costs of
 5 operating the jail or a juvenile detention center for the first full
 6 calendar year in which the jail or juvenile detention center is in
 7 operation.

8 (10) A levy increase may not be granted under this subdivision for
 9 property taxes first due and payable after December 31, 2008.
 10 Permission for a township to increase its levy in excess of the
 11 limitations established under section 3 of this chapter, if the local
 12 government tax control board finds that the township needs the
 13 increase so that the property tax rate to pay the costs of furnishing
 14 fire protection for a township, or a portion of a township, enables
 15 the township to pay a fair and reasonable amount under a contract
 16 with the municipality that is furnishing the fire protection.
 17 However, for the first time an appeal is granted the resulting rate
 18 increase may not exceed fifty percent (50%) of the difference
 19 between the rate imposed for fire protection within the
 20 municipality that is providing the fire protection to the township
 21 and the township's rate. A township is required to appeal a second
 22 time for an increase under this subdivision if the township wants
 23 to further increase its rate. However, a township's rate may be
 24 increased to equal but may not exceed the rate that is used by the
 25 municipality. More than one (1) township served by the same
 26 municipality may use this appeal.

27 (11) Permission to a city having a population of more than
 28 thirty-one thousand five hundred (31,500) but less than thirty-one
 29 thousand seven hundred twenty-five (31,725) to increase its levy
 30 in excess of the limitations established under section 3 of this
 31 chapter if:

32 (A) an appeal was granted to the city under this section to
 33 reallocate property tax replacement credits under IC 6-3.5-1.1
 34 in 1998, 1999, and 2000; and

35 (B) the increase has been approved by the legislative body of
 36 the city, and the legislative body of the city has by resolution
 37 determined that the increase is necessary to pay normal
 38 operating expenses.

39 The maximum amount of the increase is equal to the amount of
 40 property tax replacement credits under IC 6-3.5-1.1 that the city
 41 petitioned under this section to have reallocated in 2001 for a
 42 purpose other than property tax relief.



- 1 (12) A levy increase may be granted under this subdivision only
 2 for property taxes first due and payable after December 31, 2008.
 3 Permission to a civil taxing unit to increase its levy in excess of
 4 the limitations established under section 3 of this chapter if the
 5 civil taxing unit cannot carry out its governmental functions for
 6 an ensuing calendar year under the levy limitations imposed by
 7 section 3 of this chapter due to a natural disaster, an accident, or
 8 another unanticipated emergency.
- 9 (13) Permission to Jefferson County to increase its levy in excess
 10 of the limitations established under section 3 of this chapter if the
 11 department finds that the county experienced a property tax
 12 revenue shortfall that resulted from an erroneous estimate of the
 13 effect of the supplemental deduction under IC 6-1.1-12-37.5 on
 14 the county's assessed valuation. An appeal for a levy increase
 15 under this subdivision may not be denied because of the amount
 16 of cash balances in county funds. The maximum increase in the
 17 county's levy that may be approved under this subdivision is three
 18 hundred thousand dollars (\$300,000).
- 19 (b) The department of local government finance shall increase the
 20 maximum permissible ad valorem property tax levy under section 3 of
 21 this chapter for the city of Goshen for 2012 and thereafter by an
 22 amount equal to the greater of zero (0) or the result of:
- 23 (1) the city's total pension costs in 2009 for the 1925 police
 24 pension fund (IC 36-8-6) and the 1937 firefighters' pension fund
 25 (IC 36-8-7); minus
- 26 (2) the sum of:
- 27 (A) the total amount of state funds received in 2009 by the city
 28 and used to pay benefits to members of the 1925 police
 29 pension fund (IC 36-8-6) or the 1937 firefighters' pension fund
 30 (IC 36-8-7); plus
- 31 (B) any previous permanent increases to the city's levy that
 32 were authorized to account for the transfer to the state of the
 33 responsibility to pay benefits to members of the 1925 police
 34 pension fund (IC 36-8-6) and the 1937 firefighters' pension
 35 fund (IC 36-8-7).
- 36 (c) In calendar year 2013, the department of local government
 37 finance shall allow a township to increase its maximum permissible ad
 38 valorem property tax levy in excess of the limitations established under
 39 section 3 of this chapter, if the township:
- 40 (1) petitions the department for the levy increase on a form
 41 prescribed by the department; and
- 42 (2) submits proof of the amount borrowed in 2012 or 2013, but



1 not both, under IC 36-6-6-14 to furnish fire protection for the
2 township or a part of the township.

3 The maximum increase in a township's levy that may be allowed under
4 this subsection is the amount borrowed by the township under
5 IC 36-6-6-14 in the year for which proof was submitted under
6 subdivision (2). An increase allowed under this subsection applies to
7 property taxes first due and payable after December 31, 2013.

8 SECTION 11. IC 6-1.1-18.5-18.5 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2015]: **Sec. 18.5. (a) This section does not**
11 **apply to a county having a consolidated city.**

12 **(b) Subject to subsection (d), the maximum permissible ad**
13 **valorem property tax levy for the county's firefighting fund under**
14 **IC 36-8-13.7-5 for property taxes first due and payable after**
15 **December 31, 2018, is the amount determined in STEP TWO of the**
16 **following STEPS:**

17 **STEP ONE: Determine:**

18 **(A) for ad valorem property taxes first due and payable in**
19 **2019:**

20 **(i) the combined maximum ad valorem property tax levy**
21 **under this chapter of all the townships in the county for**
22 **the townships' firefighting funds established under**
23 **IC 36-8-13-4 for property taxes first due and payable in**
24 **2018; plus**

25 **(ii) the combined maximum ad valorem property tax**
26 **levy for property taxes first due and payable for all fire**
27 **protection territories and fire protection districts in the**
28 **county that are abolished in the first year in which the**
29 **county is responsible for providing fire protection and**
30 **emergency services; or**

31 **(B) for ad valorem property taxes first due and payable**
32 **after 2019, the maximum permissible ad valorem property**
33 **tax levy for the county's firefighting fund determined**
34 **under this section for ad valorem property taxes first due**
35 **and payable in the immediately preceding calendar year.**

36 **STEP TWO: Multiply the amount determined in STEP ONE**
37 **by the amount determined in the last STEP of section 2(b) of**
38 **this chapter.**

39 **(c) Notwithstanding any other law, the county fiscal body shall**
40 **impose the first property tax levy for the county's firefighting fund**
41 **under IC 36-8-13.7-5 beginning with property taxes first due and**
42 **payable in 2019.**



1 (d) Notwithstanding any other law, the department of local
 2 government finance may adjust the maximum permissible ad
 3 valorem property tax levy of any political subdivision as necessary
 4 and proper to account for the transfer of fire protection and
 5 emergency services powers and duties from townships to counties
 6 after December 31, 2018.

7 SECTION 12. IC 6-1.1-18.5-22 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2015]: Sec. 22. (a) This section applies only
 10 to a county not having a consolidated city.

11 (b) For purposes of determining the property tax levy limit
 12 imposed on a county under section 3 of this chapter, the county ad
 13 valorem property tax levy for a particular calendar year does not
 14 include the amount, if any, of ad valorem property taxes imposed
 15 for local assistance. A separate maximum permissible ad valorem
 16 property tax levy for local assistance shall be determined as
 17 provided in this section for 2019 and thereafter.

18 (c) The county's maximum permissible ad valorem property tax
 19 levy for local assistance for property taxes first due and payable in
 20 2019 is equal to the result of:

- 21 (1) the total amount of property taxes levied for local
 22 assistance by all townships in the county for property taxes
 23 first due and payable in 2018; multiplied by
 24 (2) the assessed value growth quotient determined under
 25 section 2 of this chapter for 2019.

26 (d) The county's maximum permissible ad valorem property tax
 27 levy for local assistance for property taxes for an ensuing calendar
 28 year after 2019 is equal to:

- 29 (1) the county's maximum permissible ad valorem property
 30 tax levy for local assistance determined under this section for
 31 the current calendar year; multiplied by
 32 (2) the assessed value growth quotient determined under
 33 section 2 of this chapter for the ensuing calendar year.

34 SECTION 13. IC 6-1.1-20.3-6.7, AS ADDED BY P.L.234-2013,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2015]: Sec. 6.7. (a) As used in this chapter, "township "local
 37 assistance property tax rate" means the property tax rate imposed for
 38 the payment of township local assistance. In the case of a township that
 39 has a separately calculated maximum permissible ad valorem property
 40 tax levy for the township's township local assistance administration
 41 property tax levy and the township's township local assistance benefits
 42 property tax levy under IC 12-20-21-3.2, "township "local assistance



1 property tax rate" means the sum of the property tax rate imposed for
 2 the township's ~~township~~ **local** assistance administration property tax
 3 levy and the property tax rate imposed for the township's ~~township~~
 4 **local** assistance benefits property tax levy.

5 (b) Subsection (c) applies only to a township for which the
 6 township's ~~township~~ **local** assistance property tax rate for property
 7 taxes first due and payable in 2014 or in any year thereafter is more
 8 than the result of:

9 (1) the statewide average ~~township~~ **local** assistance property tax
 10 rate (as determined by the department of local government
 11 finance) for property taxes first due and payable in that same year;
 12 multiplied by

13 (2) twelve (12).

14 (c) The board may in any year in which this subsection applies to a
 15 township (as provided in subsection (b)) designate a township
 16 described in subsection (b) as a distressed political subdivision,
 17 effective January 1 of the following year, regardless of whether the
 18 township has submitted a petition requesting to be designated as a
 19 distressed political subdivision.

20 **(d) This section expires January 1, 2019.**

21 SECTION 14. IC 6-1.1-20.3-13, AS AMENDED BY P.L.2-2014,
 22 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 13. (a) If:

24 (1) an emergency manager of a distressed political subdivision;

25 (2) the fiscal body and executive of the political subdivision
 26 jointly; or

27 (3) the governing body of a school corporation that:

28 (A) employs a new superintendent; or

29 (B) has a new member elected or appointed to its governing
 30 body;

31 during the time the school corporation is a distressed political
 32 subdivision;

33 files a petition with the board for termination of the political
 34 subdivision's status as a distressed political subdivision, the board shall
 35 conduct a public hearing on the question of whether to terminate the
 36 political subdivision's status as a distressed political subdivision.

37 (b) In the case of a political subdivision designated as distressed
 38 under section 6.5 of this chapter, the board shall terminate the political
 39 subdivision's status as a distressed political subdivision if the board
 40 finds that the conditions found in section 6.5 of this chapter are no
 41 longer applicable to the political subdivision.

42 (c) In the case of a township designated as distressed under section



1 6.7 of this chapter, the board shall terminate the township's status as a
 2 distressed political subdivision if the board finds that the township's
 3 **township local** assistance property tax rate (as defined in section 6.7(a)
 4 of this chapter) for the current calendar year is not more than the result
 5 of:

6 (1) the statewide average **township local** assistance property tax
 7 rate (as determined by the department of local government
 8 finance) for property taxes first due and payable in that same year;
 9 multiplied by

10 (2) twelve (12). **This subsection expires January 1, 2019.**

11 (d) Notwithstanding any other section of this chapter, not later than
 12 ninety (90) days after taking office, a new executive of a distressed
 13 political subdivision may petition the board for suspension of the
 14 political subdivision's distressed status. In the case of a political
 15 subdivision designated as distressed under section 6.5 of this chapter,
 16 the executive must include in its petition a written plan to resolve the
 17 applicable issues described in section 6.5 of this chapter. In the case of
 18 a township designated as distressed under section 6.7 of this chapter,
 19 the executive must include in its petition a written plan to lower the
 20 township's **township local** assistance property tax rate (as defined in
 21 section 6.7(a) of this chapter). If the board approves the executive's
 22 written plan, the board may suspend the political subdivision's
 23 distressed status for one hundred eighty (180) days. Suspension under
 24 this chapter terminates automatically upon expiration of the one
 25 hundred eighty (180) day period. The board may consider a petition to
 26 terminate the political subdivision's distressed status during a period of
 27 suspension.

28 SECTION 15. IC 10-18-5-1 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. A township trustee
 30 **or (after December 31, 2018) the county executive or county**
 31 **executive's designee, in the case of a county not having a**
 32 **consolidated city,** may receive as public property a monument or
 33 memorial built:

34 (1) in the township **or (after December 31, 2018) the county, in**
 35 **the case of a county not having a consolidated city;**

36 (2) in honor of the township's soldiers or marines; and

37 (3) by the people with public donations;

38 if the people of the township **or (after December 31, 2018) the**
 39 **county, in the case of a county not having a consolidated city,** want
 40 to give the monument or memorial to the township **or (after December**
 41 **31, 2018) the county, in the case of a county not having a**
 42 **consolidated city.**



1 SECTION 16. IC 10-18-5-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. The township trustee
 3 **or (after December 31, 2018) the county executive or county**
 4 **executive's designee, in the case of a county not having a**
 5 **consolidated city**, shall care for and repair a monument or memorial
 6 described in section 1 of this chapter with township money **or (after**
 7 **December 31, 2018) county money, in the case of a county not**
 8 **having a consolidated city.**

9 SECTION 17. IC 12-7-2-1.5 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.5. "Administrator" for
 11 purposes of: **means the following:**

12 (1) **For purposes of IC 12-10-15**, has the meaning set forth in
 13 IC 12-10-15-1.5. **and**

14 (2) **For purposes of IC 12-24-17**, has the meaning set forth in
 15 IC 12-24-17-1.

16 (3) **For purposes of IC 12-20 and IC 12-30-4**, the
 17 **administrator of local assistance according to the following:**

18 (A) **Before January 1, 2019**, a township trustee.

19 (B) **After December 31, 2018:**

20 (i) **a township trustee in a county having a consolidated**
 21 **city; or**

22 (ii) **the county executive or county executive's designee of**
 23 **a county not having a consolidated city.**

24 SECTION 18. IC 12-7-2-3 IS REPEALED [EFFECTIVE JULY 1,
 25 2015]. Sec. 3. "Advance"; for purposes of IC ~~12-20-25-41~~, has the
 26 meaning set forth in IC ~~12-20-25-41~~.

27 SECTION 19. IC 12-7-2-24.9, AS ADDED BY P.L.180-2005,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 24.9. "Case contact", for purposes of
 30 IC 12-20-28-3 **and IC 12-20-28-4**, has the meaning set forth in
 31 IC ~~12-20-28-3(b)~~. **IC 12-20-28-3(c).**

32 SECTION 20. IC 12-7-2-43 IS REPEALED [EFFECTIVE JULY 1,
 33 2015]. Sec. 43. "Control board"; for purposes of IC ~~12-20-25~~, has the
 34 meaning set forth in IC ~~12-20-25-2~~.

35 SECTION 21. IC 12-7-2-44.7, AS AMENDED BY P.L.73-2005,
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 44.7. "Countable income", for purposes of
 38 IC 12-20, means a monetary amount either paid to an applicant or a
 39 member of an applicant's household not more than thirty (30) days
 40 before the date of application for **township local** assistance, or accrued
 41 and legally available for withdrawal by an applicant or a member of an
 42 applicant's household at the time of application or not more than thirty



- 1 (30) days after the date of application for **township local** assistance.
 2 The term includes the following:
 3 (1) Gross wages before mandatory deductions.
 4 (2) Social Security benefits, including Supplemental Security
 5 Income.
 6 (3) Aid to Families with Dependent Children.
 7 (4) Unemployment compensation.
 8 (5) Worker's compensation (except compensation that is restricted
 9 for the payment of medical expenses).
 10 (6) Vacation pay.
 11 (7) Sick benefits.
 12 (8) Strike benefits.
 13 (9) Private or public pensions.
 14 (10) Taxable income from self-employment.
 15 (11) Bartered goods and services provided by another individual
 16 for the payment of nonessential needs on behalf of an applicant or
 17 an applicant's household if monetary compensation or the
 18 provision of basic necessities would have been reasonably
 19 available from that individual.
 20 (12) Child support.
 21 (13) Gifts of cash, goods, or services.
 22 (14) Other sources of revenue or services that the **township trustee**
 23 **administrator (as defined in IC 12-7-2-1.5(3))** may reasonably
 24 determine to be countable income.
 25 SECTION 22. IC 12-7-2-51 IS REPEALED [EFFECTIVE JULY 1,
 26 2015]. ~~Sec. 51: "Creditor", for purposes of IC 12-20-25, has the~~
 27 ~~meaning set forth in IC 12-20-25-3.~~
 28 SECTION 23. IC 12-7-2-68 IS REPEALED [EFFECTIVE JULY 1,
 29 2015]. ~~Sec. 68: "Distressed township", for purposes of IC 12-20-25, has~~
 30 ~~the meaning set forth in IC 12-20-25-4.~~
 31 SECTION 24. IC 12-7-2-76.5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 76.5. (a) "Emergency",
 33 for purposes of IC 12-20, means an unpredictable circumstance or a
 34 series of unpredictable circumstances that:
 35 (1) place the health or safety of a household or a member of a
 36 household in jeopardy; and
 37 (2) cannot be remedied in a timely manner by means other than
 38 **township local** assistance.
 39 (b) "Emergency", for purposes of IC 12-17.6, has the meaning set
 40 forth in IC 12-17.6-1-2.6.
 41 SECTION 25. IC 12-7-2-115 IS REPEALED [EFFECTIVE JULY
 42 1, 2015]. ~~Sec. 115: "Indebtedness", for purposes of IC 12-20-25, has~~



1 ~~the meaning set forth in IC 12-20-25-5.~~

2 SECTION 26. IC 12-7-2-140.5, AS AMENDED BY P.L.3-2008,
3 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 140.5. "Plan", for purposes of:

5 (1) IC 12-15-44.2, has the meaning set forth in IC 12-15-44.2-1;
6 **and**

7 **(2) IC 12-20 and IC 12-30-4, means a local assistance plan**
8 **prepared under IC 12-20-1.5 or IC 12-20-1.6.**

9 SECTION 27. IC 12-7-2-153, AS AMENDED BY P.L.145-2006,
10 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2015]: Sec. 153. (a) "Public welfare", for purposes of the
12 statutes listed in subsection (b), means any form of public welfare or
13 social security provided for in the statutes listed in subsection (b). The
14 term does not include direct ~~township~~ **local** assistance as administered
15 by ~~township trustees~~ **administrators (as defined in IC 12-7-2-1.5(3))**
16 under IC 12-20.

17 (b) This section applies to the following statutes:

18 (1) IC 12-13.

19 (2) IC 12-14.

20 (3) IC 12-15.

21 (4) IC 12-19.

22 SECTION 28. IC 12-7-2-158, AS AMENDED BY P.L.145-2006,
23 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 158. "Recipient" means the following:

25 (1) For purposes of the following statutes, a person who has
26 received or is receiving assistance for the person or another
27 person under any of the following statutes:

28 (A) IC 12-10-6.

29 (B) IC 12-13.

30 (C) IC 12-14.

31 (D) IC 12-15.

32 (E) IC 12-19.

33 (2) For purposes of IC 12-20-10 and IC 12-20-11:

34 (A) a single individual receiving ~~township~~ **local** assistance; or

35 (B) if ~~township~~ **local** assistance is received by a household
36 with at least two (2) individuals, the member of the household
37 most suited to perform available work.

38 SECTION 29. IC 12-7-2-189 IS REPEALED [EFFECTIVE JULY
39 1, 2015]. ~~Sec. 189: "Support", for purposes of IC 12-20-25-41 has the~~
40 ~~meaning set forth in IC 12-20-25-41.~~

41 SECTION 30. IC 12-7-2-192.3, AS AMENDED BY P.L.1-2006,
42 SECTION 184, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 192.3. "Total number of households
 2 containing township assistance recipients", for purposes of
 3 IC 12-20-28-3 **and IC 12-20-28-4**, has the meaning set forth in
 4 ~~IC 12-20-28-3(c)~~. **IC 12-20-28-3(d)**.

5 SECTION 31. IC 12-7-2-192.4, AS AMENDED BY P.L.180-2005,
 6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 192.4. "Total number of recipients", for purposes
 8 of IC 12-20-28-3 **and IC 12-20-28-4**, has the meaning set forth in
 9 ~~IC 12-20-28-3(d)~~. **IC 12-20-28-3(e)**.

10 SECTION 32. IC 12-7-2-192.5, AS AMENDED BY P.L.180-2005,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 192.5. "Total number of requests for assistance",
 13 for purposes of IC 12-20-28-3 **and IC 12-20-28-4**, has the meaning set
 14 forth in ~~IC 12-20-28-3(e)~~. **IC 12-20-28-3(f)**.

15 SECTION 33. IC 12-7-2-200.5, AS AMENDED BY P.L.73-2005,
 16 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 200.5. "Wasted resources", for purposes of
 18 IC 12-20, means:

19 (1) the amount of money or resources expended by an applicant
 20 or an adult member of an applicant's household seeking ~~township~~
 21 **local** assistance during the thirty (30) days before the date of
 22 application for ~~township local~~ assistance for items or services that
 23 are not basic necessities;

24 (2) income, resources, or tax supported services lost or reduced as
 25 a result of a voluntary act during the sixty (60) days before the
 26 date of application for ~~township local~~ assistance by an adult
 27 member of an applicant's household unless the adult member can
 28 establish a good reason for the act; or

29 (3) lump sum amounts of money or resources from tax refunds,
 30 lawsuits, inheritances, or pension payments of at least four
 31 hundred dollars (\$400) that are expended by:

32 (A) an applicant seeking ~~township local~~ assistance; or

33 (B) an adult member of the applicant's household;

34 during the one hundred eighty (180) days immediately preceding
 35 the date of application for ~~township local~~ assistance for items or
 36 services that are not basic necessities if, at the time of the
 37 expenditure, there were amounts due and owing for items or
 38 services constituting basic necessities.

39 SECTION 34. IC 12-20-1-2.5 IS ADDED TO THE INDIANA
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2015]: **Sec. 2.5. (a) In a county having a**
 42 **consolidated city, local assistance is administered in each township.**



1 **The township trustee is the administrator of local assistance in the**
 2 **township.**

3 **(b) Before January 1, 2019, in a county not having a**
 4 **consolidated city, local assistance is administered in each township.**
 5 **The township trustee is the administrator of local assistance in the**
 6 **township.**

7 **(c) After December 31, 2018, in a county not having a**
 8 **consolidated city, local assistance is administered on a county basis.**
 9 **The county executive or county executive's designee is the**
 10 **administrator of local assistance in the county.**

11 SECTION 35. IC 12-20-1-4, AS AMENDED BY P.L.158-2013,
 12 SECTION 180, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section does not apply
 14 to an attorney who is admitted to practice law in Indiana.

15 (b) A person who receives any item of value from an applicant or a
 16 recipient in connection with assisting that applicant or recipient in
 17 obtaining ~~township local~~ assistance commits ~~township local~~ assistance
 18 profiteering, a Class C misdemeanor.

19 (c) A person who unfairly profits from the:

20 (1) sale, lease, or rental of goods or shelter; or

21 (2) provision of services;

22 to a ~~township local~~ assistance recipient commits ~~township local~~
 23 assistance fraud, a Level 6 felony. For purposes of this subsection, a
 24 person unfairly profits if the person receives payment from the
 25 ~~township trustee administrator~~ for goods or services that the person
 26 does not provide or the person charges the ~~township trustee~~
 27 ~~administrator~~ more for the goods or services than the person would
 28 charge members of the public.

29 (d) In addition to any other penalty imposed for a conviction under
 30 subsection (c), a person who is convicted of ~~township local~~ assistance
 31 fraud is ineligible to participate in the ~~township local~~ assistance
 32 program for thirty (30) years after the date of the conviction.

33 SECTION 36. IC 12-20-1-5, AS ADDED BY P.L.20-2010,
 34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 5. (a) After June 30, 2005, a reference to "poor
 36 relief" in a statute, a rule, an interim guideline, a contract, an
 37 application for benefits, an eligibility standard, a tax levy, a fund, a
 38 bond issue or another form of indebtedness, or any other legal
 39 document or order shall be treated as a reference to "township
 40 assistance".

41 (b) The renaming of "poor relief" as "township assistance" does not
 42 affect:



- 1 (1) any rights or liabilities accrued;
- 2 (2) any penalties incurred;
- 3 (3) any violations committed;
- 4 (4) any proceedings begun;
- 5 (5) any contract;
- 6 (6) any application for or standard of benefits;
- 7 (7) any tax levy;
- 8 (8) any fund;
- 9 (9) any bond issue or other form of indebtedness; or
- 10 (10) any legal document or order.

11 **(c) After June 30, 2015, a reference to "township assistance" in**
 12 **a statute, a rule, an interim guideline, a contract, an application for**
 13 **benefits, an eligibility standard, a tax levy, a fund, a bond issue or**
 14 **another form of indebtedness, or any other legal document or**
 15 **order shall be treated as a reference to "local assistance". The**
 16 **renaming of "township assistance" as "local assistance" does not**
 17 **affect:**

- 18 (1) any rights or liabilities accrued;
- 19 (2) any penalties incurred;
- 20 (3) any violations committed;
- 21 (4) any proceedings begun;
- 22 (5) any contract;
- 23 (6) any application for or standard of benefits;
- 24 (7) any tax levy;
- 25 (8) any fund;
- 26 (9) any bond issue or other form of indebtedness; or
- 27 (10) any legal document or order.

28 SECTION 37. IC 12-20-1.5 IS ADDED TO THE INDIANA CODE
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]:

31 **Chapter 1.5. Local Assistance Plan in Counties Other Than**
 32 **Marion County**

33 **Sec. 1. This chapter applies only to a county not having a**
 34 **consolidated city.**

35 **Sec. 2. As used in this chapter, "plan" means a local assistance**
 36 **plan prepared under this chapter.**

37 **Sec. 3. The county legislative body shall prepare a plan for the**
 38 **delivery of local assistance throughout the county.**

39 **Sec. 4. (a) In preparing a plan, the county legislative body shall:**
 40 (1) consider whether areas are overserved or underserved in
 41 the delivery of local assistance;
 42 (2) consider the local assistance budget;



1 (3) determine whether the county may contract with a service
2 provider to provide some or all local assistance services to the
3 county; and
4 (4) recognize and coordinate with other providers of relief for
5 indigent persons.
6 (b) The plan must meet the requirements of this chapter.
7 Sec. 5. (a) After preparing a plan, the county legislative body
8 shall review the plan during at least two (2) public meetings at
9 which the public and any interested parties are entitled to the
10 opportunity to comment on the plan.
11 (b) The county legislative body shall by ordinance adopted
12 before January 1, 2019:
13 (1) approve the plan; or
14 (2) modify the plan and then approve the plan.
15 Sec. 6. A plan adopted under this chapter must include the
16 following:
17 (1) A plan specifying any necessary requirements in the
18 transition to the delivery of local assistance throughout the
19 county.
20 (2) The county's procedures for application and review of
21 local assistance requests.
22 (3) The forms of local assistance.
23 (4) A description of the supervisors, investigators, assistants,
24 or other necessary employees that will be employed in
25 discharging the administrator's duties concerning the
26 provision of local assistance, and a recommendation
27 concerning the compensation of these employees.
28 (5) A description of the offices that must be maintained in the
29 county to carry out the administrator's duties concerning the
30 provision of local assistance.
31 (6) A description of the proposed standards for local
32 assistance.
33 (7) In the case of any service, program, limitation, power, or
34 duty that may under this article or IC 12-30-4 be included in
35 the plan, a description of whether or not that service,
36 program, limitation, power, or duty is included in the plan.
37 (8) Any other provisions necessary to address the provision of
38 local assistance under this article.
39 Sec. 7. After a plan is approved by the county legislative body,
40 the plan and the transfer of local assistance responsibilities to the
41 county as provided in the plan take effect January 1, 2019.
42 Sec. 8. The county legislative body may review a plan adopted



1 under this chapter and may adopt amendments to the plan.

2 SECTION 38. IC 12-20-1.6 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]:

5 **Chapter 1.6. Transfer of Local Assistance Duties and**
6 **Responsibilities to a County Other Than Marion County**

7 **Sec. 1. This chapter applies after December 31, 2018. This**
8 **chapter applies only to a county not having a consolidated city.**

9 **Sec. 2. As used in this chapter, "administrator" means the**
10 **administrator of local assistance in the county.**

11 **Sec. 3. (a) The county executive or the county executive's**
12 **designee shall administer local assistance in the county after**
13 **December 31, 2018.**

14 **(b) The administrator shall perform all duties related to local**
15 **assistance that were performed by township trustees in the county**
16 **before January 1, 2019. The administrator, in performing the**
17 **powers and duties under IC 12-20 and IC 12-30-4, acts as the**
18 **administrator of local assistance for the county.**

19 **(c) The administrator shall perform the following duties and**
20 **responsibilities:**

21 **(1) Administer local assistance within the standards adopted**
22 **under IC 12-20-5.5, including:**

23 **(A) accepting and processing applications for local**
24 **assistance;**

25 **(B) investigating applications for local assistance;**

26 **(C) approving and denying applications for local**
27 **assistance;**

28 **(D) administering approved relief; and**

29 **(E) working with other governmental and nonprofit**
30 **providers of assistance to direct applicants to other**
31 **resources.**

32 **(2) Hire staff, with the approval of the county fiscal body.**

33 **(3) Manage staff.**

34 **(4) Operate local assistance offices.**

35 **(5) Investigate and grant temporary relief as provided in**
36 **IC 12-20-17-3.**

37 **(6) Administer the county local assistance fund established**
38 **under IC 12-20-21-6.**

39 **(7) Complete the annual local assistance statistical report**
40 **under IC 12-20-28 and maintain data on local assistance.**

41 **(8) Ensure adequate access to all local assistance services.**

42 **(9) Enter into and manage contracts with human services**



1 **providers for any of the duties and responsibilities regarding**
 2 **the provision of local assistance.**

3 **(10) Carry out any other responsibility provided for by law.**

4 SECTION 39. IC 12-20-2-1, AS AMENDED BY P.L.73-2005,
 5 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 1. **(a)** A suit or proceeding in favor of or against
 7 a township trustee **an administrator** concerning township local
 8 assistance shall be conducted in favor of or against the township in the
 9 township's corporate name. **After December 31, 2018, this subsection**
 10 **applies only to a county having a consolidated city.**

11 **(b) This subsection applies after December 31, 2018. This**
 12 **subsection applies only to a county not having a consolidated city.**
 13 **A suit or proceeding in favor of or against an administrator**
 14 **concerning local assistance shall be conducted in favor of or**
 15 **against the county in the county's corporate name.**

16 SECTION 40. IC 12-20-3-1, AS AMENDED BY P.L.145-2006,
 17 SECTION 111, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a)** ~~A township trustee~~ **An**
 19 **administrator** is not under the jurisdiction of the division of family
 20 resources.

21 **(b)** The division of family resources:

22 (1) may not subject a township trustee **an administrator** to
 23 investigation concerning the trustee's **administrator's** official
 24 duties; and

25 (2) has no authority to make a report with reference to the official
 26 duties of a township trustee: **an administrator.**

27 SECTION 41. IC 12-20-3-2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. The governor may
 29 not do any of the following:

30 (1) Hold a hearing in reference to a township trustee's **an**
 31 **administrator's** official duties.

32 (2) Remove a township trustee **an administrator** from office.

33 (3) Declare the office of a township trustee **an administrator**
 34 vacant.

35 SECTION 42. IC 12-20-3-3, AS AMENDED BY P.L.73-2005,
 36 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 3. **(a)** If a township trustee, who serves as an
 38 administrator of township assistance, is removed from office, resigns,
 39 or in any other way vacates the office, of township trustee, the township
 40 trustee **administrator** shall immediately deliver all books, papers, and
 41 other materials concerning the office to the trustee's **administrator's**
 42 successor upon the successor's appointment.



1 (b) If a township trustee, who serves as an administrator of township
 2 assistance, dies, the township trustee's decedent's executors or
 3 administrators shall, not more than forty (40) days after the trustee's
 4 decedent's death, deliver all materials belonging to the township
 5 trustee's administrator's office to the trustee's administrator's
 6 successor in office.

7 SECTION 43. IC 12-20-4-1, AS AMENDED BY P.L.73-2005,
 8 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 1. The township trustee administrator may pay
 10 out of township local assistance money the necessary office expense
 11 and clerical or other help necessary to properly administer township
 12 local assistance.

13 SECTION 44. IC 12-20-4-2, AS AMENDED BY P.L.73-2005,
 14 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 2. (a) The township trustee of each township,
 16 administrator in the trustee's administrator's official capacity as
 17 chief township executive officer within the township, or (after
 18 December 31, 2018) county executive in a county not having a
 19 consolidated city may do the following:

20 (1) Employ supervisors, investigators, assistants, or other
 21 necessary employees in discharging the township trustee's
 22 administrator's duties concerning the provision of township
 23 local assistance.

24 (2) Fix the salaries or wages to be paid to the supervisors,
 25 investigators, assistants, and other necessary employees employed
 26 by the township trustee administrator.

27 SECTION 45. IC 12-20-4-3, AS AMENDED BY P.L.73-2005,
 28 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 3. (a) The township trustee administrator shall
 30 determine the number of township local assistance supervisors,
 31 investigators, assistants, or other necessary employees that are
 32 employed by the township or (after December 31, 2018) county, in
 33 the case of a county not having a consolidated city, to administer
 34 township local assistance.

35 (b) The pay of township local assistance supervisors, investigators,
 36 assistants, and other necessary employees shall be fixed by the
 37 township trustee administrator subject only to the total budgetary
 38 appropriation for personnel services for the administration of township
 39 local assistance approved by the township board or (after December
 40 31, 2018) county fiscal body, in the case of a county not having a
 41 consolidated city.

42 (c) A township local assistance supervisor, investigator, assistant,



1 or other necessary employee who uses an automobile in the
 2 performance of the employee's work is entitled to the same mileage
 3 paid to state officers and employees **or (after December 31, 2018)**
 4 **county officers and employees, in the case of a county not having**
 5 **a consolidated city.**

6 SECTION 46. IC 12-20-4-4, AS AMENDED BY P.L.73-2005,
 7 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 4. An individual may not be employed as a
 9 ~~township~~ **local** assistance investigator unless the individual:

- 10 (1) is a high school graduate or possesses an equivalent degree;
 11 (2) is at least eighteen (18) years of age; and
 12 (3) is a resident of the county where the township is located.

13 SECTION 47. IC 12-20-4-5, AS AMENDED BY P.L.73-2005,
 14 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 5. (a) The number of supervisors of ~~township~~
 16 **local** assistance investigators may not exceed one (1) supervisor for the
 17 first four (4) ~~township local~~ assistance investigators. If there are more
 18 than four (4) ~~township local~~ assistance investigators, the ~~township~~
 19 ~~trustee administrator~~ may employ one (1) additional supervisor for
 20 each twelve (12) ~~township local~~ assistance investigators or major
 21 fraction of that number. **After December 31, 2018, this subsection**
 22 **applies only to a county having a consolidated city.**

23 (b) The pay for supervisors of ~~township local~~ assistance
 24 investigators shall be fixed in the manner provided by law for other
 25 township salaries. **After December 31, 2018, this subsection applies**
 26 **only to a county having a consolidated city.**

27 (c) **After December 31, 2018, in a county not having a**
 28 **consolidated city, the administrator may employ, subject to the**
 29 **approval of the county fiscal body, the number of supervisors and**
 30 **investigators needed to administer local assistance. The pay for**
 31 **supervisors and investigators shall be fixed in the manner provided**
 32 **by law for other county salaries.**

33 SECTION 48. IC 12-20-4-6, AS AMENDED BY P.L.73-2005,
 34 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 6. An individual may not be employed as a
 36 supervisor of ~~township local~~ assistance investigators unless the
 37 individual:

- 38 (1) has been an Indiana resident for at least one (1) year
 39 immediately preceding the individual's appointment; or
 40 (2) has had at least one (1) year of experience as a ~~township local~~
 41 assistance investigator.

42 SECTION 49. IC 12-20-4-7, AS AMENDED BY P.L.73-2005,



1 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 7. (a) Two (2) or more townships in the same
3 county may jointly employ an investigator to investigate **township local**
4 assistance applicants and recipients.

5 (b) Payment for investigations conducted under this section shall be
6 made on the basis of the number of cases handled for each township in
7 the same manner and at the same rate as otherwise provided for the
8 payment of investigators under this chapter.

9 (c) **After December 31, 2018, this section applies only to a**
10 **county having a consolidated city.**

11 SECTION 50. IC 12-20-4-11, AS AMENDED BY P.L.73-2005,
12 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2015]: Sec. 11. (a) A **township local** assistance supervisor,
14 investigator, assistant, or other necessary employee shall be paid only
15 for the number of days the employee is actually engaged in
16 employment during each month.

17 (b) A **township local** assistance supervisor, investigator, assistant,
18 or other necessary employee shall be paid at the rate established by the
19 **township trustee administrator** from an appropriation by the township
20 board **or (after December 31, 2018) the county fiscal body, in the**
21 **case of a county not having a consolidated city,** with no deduction
22 for legal holidays.

23 (c) A **township local** assistance supervisor, investigator, assistant,
24 or other necessary employee shall be paid out of the same money as
25 claims for **township local** assistance are paid. Claims for pay are
26 payable upon presentation of a sworn claim itemizing each day for
27 which pay is requested. Claims are to be made and filed in the same
28 manner as other claims for **township local** assistance expenditures are
29 payable, at least once each month.

30 (d) Each **township local** assistance chief deputy, investigator,
31 supervisor, assistant, or other necessary employee may be granted paid
32 vacation leave or sick leave under IC 5-10-6-1.

33 (e) The **township trustee administrator** of a township having a
34 population of at least ten thousand (10,000) may appoint a chief
35 deputy. A chief deputy may be paid from any township funds. **After**
36 **December 31, 2018, the administrator of a county having a**
37 **population of at least ten thousand (10,000) may appoint a chief**
38 **deputy, who may be paid as other county employees are paid.**

39 SECTION 51. IC 12-20-5-1, AS AMENDED BY P.L.73-2005,
40 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 1. (a) The **township trustee of each township**
42 **administrator** is ex officio the administrator of **township local**



1 assistance within the township **or (after December 31, 2018) within**
 2 **the county, in the case of a county not having a consolidated city.**

3 (b) The ~~township trustee~~ **administrator** shall perform all duties
 4 with reference to the poor of the township **or (after December 31,**
 5 **2018) the county, in the case of a county not having a consolidated**
 6 **city** as prescribed by law.

7 (c) ~~A township trustee,~~ **An administrator,** in discharging the duties
 8 prescribed by this article, is designated as the administrator of ~~township~~
 9 **local** assistance.

10 SECTION 52. IC 12-20-5-2, AS AMENDED BY P.L.73-2005,
 11 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 2. The ~~township trustee,~~ as administrator of
 13 ~~township local~~ assistance, in each township **or (after December 31,**
 14 **2018) each county, in the case of a county not having a consolidated**
 15 **city,** is responsible for the oversight and care of all poor individuals in
 16 the township **or (after December 31, 2018) the county, in the case of**
 17 **a county not having a consolidated city,** as long as the individuals
 18 remain in the ~~trustee's administrator's~~ charge. The ~~township trustee~~
 19 **administrator** shall see that the individuals are properly taken care of
 20 in the manner required by law.

21 SECTION 53. IC 12-20-5-3, AS AMENDED BY P.L.73-2005,
 22 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 3. The ~~township trustee,~~ as administrator of
 24 ~~township assistance,~~ shall investigate and grant temporary relief as
 25 provided in IC 12-20-17-3.

26 SECTION 54. IC 12-20-5.5-1, AS AMENDED BY P.L.73-2005,
 27 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 1. (a) The ~~township trustee~~ **administrator** shall
 29 process all applications for ~~township local~~ assistance according to
 30 uniform written standards and without consideration of the race, creed,
 31 nationality, or gender of the applicant or any member of the applicant's
 32 household.

33 (b) The ~~township's~~ standards for the issuance of ~~township local~~
 34 assistance and the processing of applications must ~~be:~~ **meet the**
 35 **following requirements:**

36 (1) **The standards must be** governed by the requirements of this
 37 article.

38 (2) **The standards must be** proposed by the ~~township trustee,~~
 39 **administrator,** adopted by the township board, and filed with the
 40 board of county commissioners. **After December 31, 2018, this**
 41 **subdivision applies only to a county having a consolidated**
 42 **city.**



- 1 **(3) This subdivision applies after December 31, 2018, only to**
- 2 **a county not having a consolidated city. The standards must**
- 3 **be adopted by the county legislative body.**
- 4 ~~(3)~~ **(4) The standards must be** reviewed and updated annually to
- 5 reflect changes in the cost of basic necessities in the township **or**
- 6 **(after December 31, 2018) the county, in the case of a county**
- 7 **not having a consolidated city,** and changes in the law.
- 8 ~~(4)~~ **(5) The standards must be** published in a single written
- 9 document, including addenda attached to the document. ~~and~~
- 10 ~~(5)~~ **(6) The standards must be** posted in a place prominently
- 11 visible to the public in all offices of the ~~township trustee~~
- 12 **administrator** where ~~township local~~ assistance applications are
- 13 taken or processed.

14 SECTION 55. IC 12-20-5.5-2, AS AMENDED BY P.L.73-2005,
 15 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 2. (a) Standards for the administration of ~~township~~
 17 **local** assistance must ~~contain~~ **establish at a minimum** the following:

- 18 (1) Criteria for determining ~~township local~~ assistance eligibility.
- 19 (2) Minimum requirements of ~~township trustee~~ accessibility **to**
- 20 **the office of the administrator of local assistance.**
- 21 (3) Other information as needed, including the following:
 - 22 (A) ~~Township Local~~ **assistance** office locations, hours, and
 - 23 days of availability.
 - 24 (B) Initial eligibility criteria.
 - 25 (C) Continuing eligibility criteria.
 - 26 (D) Workfare requirements.
 - 27 (E) Essential and nonessential assets.
 - 28 (F) Available resources.
 - 29 (G) Income exemptions.
 - 30 (H) Application process.
 - 31 (I) Countable income.
 - 32 (J) Countable assets.
 - 33 (K) Wasted resources.

34 (b) Standards for the administration of ~~township local~~ assistance
 35 must exclude a Holocaust victim's settlement payment received by an
 36 eligible individual from countable assets and countable income.

37 SECTION 56. IC 12-20-5.5-3, AS AMENDED BY P.L.73-2005,
 38 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 3. (a) The ~~township trustee~~ **administrator** shall
 40 ensure adequate access to ~~township local~~ assistance services, including
 41 a published telephone number in the name of the township **or (after**
 42 **December 31, 2018) the county, in the case of a county not having**



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a consolidated city.

(b) ~~A township~~ **A local** assistance office, if separate from the ~~township trustee's administrator's~~ residence, must be designated by a clearly visible sign that lists the:

- (1) ~~township trustee's administrator's~~ name;
- (2) availability of ~~township~~ **local** assistance; and
- (3) ~~township local~~ assistance office's telephone number.

The sign must conform to all local zoning and signage restrictions.

SECTION 57. IC 12-20-5.5-4, AS AMENDED BY P.L.73-2005, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section does not apply to a ~~township trustee~~ **an administrator** who has assisted less than fifty-one (51) households during each of the two (2) years immediately preceding the date of the ~~township trustee's administrator's~~ annual report under IC 12-20-28-3.

(b) To ensure minimum accessibility, ~~a township trustee~~ **an administrator** operating a ~~township~~ **a local** assistance office in a township with a population of at least ten thousand (10,000), **or (after December 31, 2018) in a county of any population that does not have a consolidated city**, shall provide scheduled office hours for ~~township local~~ assistance and staff each office with an individual qualified to:

- (1) determine eligibility; and
- (2) issue relief sufficient to meet the ~~township local~~ assistance needs of the township **or (after December 31, 2018) the county, in the case of a county not having a consolidated city.**

(c) To meet the requirements of subsection (b), the ~~township trustee~~ **administrator** shall do the following:

- (1) Provide ~~township local~~ assistance office hours for at least fourteen (14) hours per week.
- (2) Provide that there is not more than one (1) weekday between the days the ~~township local~~ assistance office is open.
- (3) Provide for after hours access to the ~~township local~~ assistance office by use of an answering machine or a service:
 - (A) capable of taking messages; and
 - (B) programmed to provide information about ~~township local~~ assistance office hours.
- (4) Respond to a telephone inquiry for ~~township local~~ assistance services not more than twenty-four (24) hours, excluding Saturdays, Sundays, and legal holidays, after receiving the inquiry.
- (5) Post ~~township local~~ assistance office hours and telephone



1 numbers at the entrance to each ~~township~~ **local** assistance office.
 2 SECTION 58. IC 12-20-5.5-5, AS AMENDED BY P.L.73-2005,
 3 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 5. The township's **or, after December 31, 2018,**
 5 **in a county not having a consolidated city, the county's** standards for
 6 the administration of ~~township~~ **local** assistance must include all
 7 applicable standards governing the provision of basic necessities,
 8 including maximum amounts, special conditions, or other limitations
 9 on eligibility, if any have been established for one (1) or more basic
 10 necessities.

11 SECTION 59. IC 12-20-5.5-6 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) ~~A township~~
 13 ~~trustee~~ **An administrator** shall set income standards for the township
 14 that provide for financial eligibility in an amount consistent with
 15 reasonable costs of basic necessities in the ~~trustee's~~ **administrator's**
 16 particular township. **After December 31, 2018, the county legislative**
 17 **body, in the case of a county not having a consolidated city, shall**
 18 **adopt income standards for the county that provide for financial**
 19 **eligibility in an amount consistent with reasonable costs of basic**
 20 **necessities in the county.**

21 (b) ~~A township trustee~~ **An administrator** may not consider a
 22 Holocaust victim's settlement payment received by an eligible
 23 individual when setting income standards under this section.

24 SECTION 60. IC 12-20-6-0.5 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 0.5. (a) As used in this
 26 section, "member of the applicant's household" includes any person
 27 who lives in the same residence as the applicant.

28 (b) ~~The township trustee~~ **administrator** shall determine whether an
 29 applicant or a member of the applicant's household has been denied
 30 assistance under IC 12-14-1-1, IC 12-14-1-1.5, IC 12-14-2-5.1,
 31 IC 12-14-2-5.3, IC 12-14-2-18, IC 12-14-2-20, IC 12-14-2-21,
 32 IC 12-14-2-24, IC 12-14-2-26, IC 12-14-2.5, or IC 12-14-5.5.

33 (c) ~~A township trustee~~ **An administrator** has no obligation to
 34 extend aid to an applicant or to a member of an applicant's household
 35 who has been denied assistance as described in subsection (b).

36 (d) ~~A township trustee~~ **An administrator** shall not extend aid to an
 37 applicant or to a member of an applicant's household if the applicant or
 38 the member of the applicant's household has been convicted of an
 39 offense under IC 35-43-5-7 or IC 35-43-5-7.1 as follows:

40 (1) If the conviction is a misdemeanor, ~~a township trustee~~ **an**
 41 **administrator** shall not extend aid to the applicant or the member
 42 of the applicant's household for one (1) year after the conviction.



1 (2) If the conviction is a felony, a ~~township trustee~~ **an**
 2 **administrator** shall not extend aid to the applicant or the member
 3 of the applicant's household for ten (10) years after the conviction.

4 SECTION 61. IC 12-20-6-1, AS AMENDED BY P.L.73-2005,
 5 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 1. (a) ~~A township trustee~~ **An administrator** may
 7 not extend aid to an individual or a household unless an application and
 8 affidavit setting forth the personal condition of the individual or
 9 household has been filed with the ~~trustee~~ **administrator** within one
 10 hundred eighty (180) days before the date aid is extended.

11 (b) An individual filing an application and affidavit on behalf of a
 12 household must provide the names of all household members and any
 13 information necessary for determining the household's eligibility for
 14 **township local** assistance. The application must be on the form
 15 prescribed by the state board of accounts.

16 (c) An applicant for utility assistance under IC 12-20-16-3(a) must
 17 comply with ~~IC 12-20-16-3(d)~~. **IC 12-20-16-3(e)**.

18 (d) The ~~township trustee~~ **administrator** may not extend additional
 19 or continuing aid to an individual or a household unless the individual
 20 or household files an affidavit with the request for assistance affirming
 21 how, if at all, the personal condition of the individual or the household
 22 has changed from that set forth in the individual's or household's most
 23 recent application.

24 (e) The township trustee **administrator** shall assist an applicant for
 25 **township local** assistance in completing a ~~township local~~ assistance
 26 application if the applicant:

- 27 (1) has a mental or physical disability, including mental
 28 retardation, cerebral palsy, blindness, or paralysis;
 29 (2) has dyslexia; or
 30 (3) cannot read or write the English language.

31 SECTION 62. IC 12-20-6-3, AS AMENDED BY P.L.145-2006,
 32 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Each ~~township trustee~~
 34 **administrator** shall obtain information about public assistance
 35 programs and services administered by the division of family resources
 36 and county offices under this article, the Social Security
 37 Administration, the federal Food Stamp program (7 U.S.C. 2011 et
 38 seq.), or by another federal or state governmental entity.

39 (b) If a ~~trustee~~ **an administrator** believes a **township local**
 40 assistance applicant or a member of the applicant's household may be
 41 eligible for a public assistance program, the ~~trustee~~ **administrator** may
 42 not extend aid to the applicant or the applicant's household unless the



- 1 applicant verifies that:
- 2 (1) the applicant has filed, within the one hundred eighty (180)
- 3 days preceding the application for ~~township local~~ assistance, an
- 4 application for assistance under a federal or state public
- 5 assistance program administered by the division of family
- 6 resources and county offices or by another federal or state
- 7 governmental entity;
- 8 (2) the applicant or a member of the applicant's household is
- 9 receiving assistance under a public assistance program
- 10 administered by the division of family resources and county
- 11 offices or another federal or state governmental entity; or
- 12 (3) the applicant or a member of the applicant's household has an
- 13 emergency need that the ~~trustee administrator~~ determines must
- 14 be met immediately.

15 SECTION 63. IC 12-20-6-5, AS AMENDED BY P.L.145-2006,

16 SECTION 113, IS AMENDED TO READ AS FOLLOWS

17 [EFFECTIVE JULY 1, 2015]: Sec. 5. If the ~~township trustee~~

18 **administrator** determines that an applicant or a member of the

19 applicant's household who is granted emergency ~~township local~~

20 assistance under section ~~3(3)~~ **3(b)(3)** of this chapter may be eligible for

21 public assistance other than ~~township local~~ assistance, the applicant

22 shall, not more than fifteen (15) working days after the date that

23 emergency ~~township local~~ assistance **under section 3(b)(3) of this**

24 **chapter** was granted file an application for public assistance and

25 comply with all the requirements necessary for completing the

26 application process for public assistance administered by the division

27 of family resources and county offices or another federal or state

28 governmental entity. An applicant or a member of the applicant's

29 household who fails to file an application for public assistance not

30 more than fifteen (15) working days after the date that emergency

31 ~~township local~~ assistance **under section 3(b)(3) of this chapter** was

32 granted may not be granted **any additional township local** assistance

33 for sixty (60) days following the grant of ~~township local~~ assistance on

34 an emergency basis **under section 3(b)(3) of this chapter.**

35 SECTION 64. IC 12-20-6-5.5, AS AMENDED BY P.L.145-2006,

36 SECTION 114, IS AMENDED TO READ AS FOLLOWS

37 [EFFECTIVE JULY 1, 2015]: Sec. 5.5. (a) This section does not apply

38 in an emergency.

39 (b) If, before granting ~~township local~~ assistance, the ~~township~~

40 **trustee administrator** determines that an applicant or a member of an

41 applicant's household may be eligible for public assistance other than

42 ~~township local~~ assistance, the applicant or household member shall,



1 when referred by the ~~township trustee~~ **administrator**, make an
 2 application and comply with all necessary requirements for completing
 3 the application process for public assistance administered by:

- 4 (1) the division of family resources and county offices; or
 5 (2) any other federal or state governmental entity.

6 (c) An applicant or a household member who fails to:

- 7 (1) file an application as specified in subsection (b); and
 8 (2) show evidence that the application, as referred by the
 9 ~~township trustee~~ **administrator** was filed not more than fifteen
 10 (15) working days after the ~~township trustee's~~ **administrator's**
 11 referral;

12 may be denied ~~township local~~ **assistance** for not more than sixty (60)
 13 days.

14 SECTION 65. IC 12-20-6-6.5, AS AMENDED BY P.L.73-2005,
 15 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 6.5. (a) If an individual has been convicted of an
 17 offense under IC 35-43-5-7, a ~~township trustee~~ **an administrator** may
 18 not extend aid to or for the benefit of that individual for the following
 19 periods:

- 20 (1) If the conviction is for a misdemeanor, for one (1) year after
 21 the conviction.
 22 (2) If the conviction is for a felony, for ten (10) years after the
 23 conviction.

24 (b) If a ~~township trustee~~ **an administrator** finds that an individual
 25 has obtained ~~township local~~ **assistance** from any township **or (after**
 26 **December 31, 2018) county, in the case of a county not having a**
 27 **consolidated city**, by means of conduct described in IC 35-43-5-7, the
 28 ~~township trustee~~ **administrator** may refuse to extend aid to or for the
 29 benefit of that individual for sixty (60) days after the later of the:

- 30 (1) date of the improper conduct; or
 31 (2) date aid was last extended to the individual based on the
 32 improper conduct.

33 SECTION 66. IC 12-20-6-6.6, AS AMENDED BY P.L.73-2005,
 34 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 6.6. Notwithstanding any other provision of this
 36 article:

- 37 (1) a ~~township trustee~~ **an administrator** may not extend aid to or
 38 for the benefit of an individual if that aid would pay for goods or
 39 services provided to or for the benefit of the individual; and
 40 (2) a:
 41 (A) township; **or**
 42 (B) **after December 31, 2018, county, in the case of a county**



1 **not having a consolidated city;**
 2 is not obligated to pay the cost of basic necessities incurred on
 3 behalf of the household in which the individual resides;
 4 during a period that the individual has previously applied for and been
 5 denied **township local** assistance.

6 SECTION 67. IC 12-20-6-7, AS AMENDED BY P.L.73-2005,
 7 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 7. (a) In a case of emergency, a ~~trustee~~ **an**
 9 **administrator** shall accept and promptly act upon a completed
 10 application from an individual requesting assistance. In a
 11 nonemergency request for **township local** assistance, the ~~trustee~~
 12 **administrator** shall act on the completed application not later than
 13 seventy-two (72) hours after receiving the application, excluding
 14 weekends and legal holidays listed in IC 1-1-9. The ~~trustee's~~
 15 **administrator's** office shall retain a copy of each application and
 16 affidavit whether or not relief is granted.

17 (b) The actions that a ~~trustee~~ **an administrator** may take on a
 18 completed application for **township local** assistance, except in a case
 19 of emergency, are the following:

- 20 (1) Grant **local** assistance.
 21 (2) Deny **local** assistance, including a partial denial of **local**
 22 assistance requested.
 23 (3) Leave the decision pending.
 24 (c) A decision pending determination under subsection (b)(3):
 25 (1) may not remain pending for more than seventy-two (72) hours
 26 after the expiration of the period described in subsection (a); and
 27 (2) must include a statement listing the specific reasons that **local**
 28 assistance is not granted or denied within the period required
 29 under subsection (a).

30 SECTION 68. IC 12-20-6-8, AS AMENDED BY P.L.73-2005,
 31 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2015]: Sec. 8. (a) ~~A township trustee~~ **An administrator** shall
 33 promptly notify in writing each applicant for **township local** assistance
 34 of action taken upon a completed application for **township local**
 35 assistance, ~~The trustee shall do~~ **including** the following:

- 36 (1) Mail notice or provide personal notice not later than
 37 seventy-two (72) hours, excluding weekends and legal holidays
 38 listed in IC 1-1-9, after the completed application is received
 39 advising the applicant of the right to appeal an adverse decision
 40 of the ~~trustee~~ **administrator to the following:**

41 **(A) The board of commissioners. After December 31, 2018,**
 42 **this clause applies only to a county having a consolidated**



- 1 **city.**
- 2 **(B) After December 31, 2018, to the circuit court having**
- 3 **jurisdiction in the county, in the case of a county not**
- 4 **having a consolidated city.**
- 5 (2) Include in the notice required under subdivision (1) the
- 6 following:
- 7 (A) The type and amount of assistance granted.
- 8 (B) The type and amount of assistance denied or partially
- 9 granted.
- 10 (C) Specific reasons for denying all or part of the assistance
- 11 requested.
- 12 (D) Information advising the applicant of the procedures for
- 13 appeal to **the following:**
- 14 **(i) The board of commissioners. After December 31, 2018,**
- 15 **this item applies only to a county having a consolidated**
- 16 **city.**
- 17 **(ii) After December 31, 2018, to the circuit court having**
- 18 **jurisdiction in the county, in the case of a county not**
- 19 **having a consolidated city.**
- 20 (b) A copy of the notice described in subsection (a) shall be filed
- 21 with the recipient's application and affidavit in the ~~trustee's~~
- 22 **administrator's** office.
- 23 (c) An application for ~~township~~ **local** assistance is not considered
- 24 complete until all adult members of the requesting household have
- 25 signed:
- 26 (1) the ~~township~~ **local** assistance application; and
- 27 (2) any other form, instrument, or document:
- 28 (A) required by law; or
- 29 (B) determined necessary for investigative purposes by the
- 30 ~~trustee; administrator~~ as contained in the ~~township's~~ **township**
- 31 **local** assistance guidelines.
- 32 SECTION 69. IC 12-20-6-9, AS AMENDED BY P.L.73-2005,
- 33 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2015]: Sec. 9. If an application for ~~township~~ **local** assistance
- 35 is made to the ~~township trustee~~ as administrator, ~~of township assistance~~
- 36 the ~~township trustee~~ as administrator ~~of township assistance~~, shall
- 37 carefully investigate the circumstances of the applicant and each
- 38 member of the applicant's household to ascertain the following:
- 39 (1) Legal residence.
- 40 (2) Names and ages.
- 41 (3) Physical condition relating to sickness or health.
- 42 (4) Present and previous occupation.



1 (5) Ability and capacity to perform labor.

2 (6) The cause of the applicant's or household member's condition
3 if the applicant or household member is found to be in need and
4 the cause can be ascertained.

5 (7) Whether the applicant or a member of the applicant's
6 household is entitled to income in the immediate future from any
7 source, including the following:

8 (A) Past or present employment.

9 (B) A pending claim or cause of action that may result in a
10 monetary award being received by any member of the
11 applicant's household claiming to be in need.

12 (C) A pending determination for assistance from any other
13 federal or state governmental entity.

14 (8) The family relationships of the **township local** assistance
15 applicant.

16 (9) Whether the **township local** assistance applicant or members
17 of the applicant's household have relatives able and willing to
18 assist the applicant or a member of the applicant's household.

19 SECTION 70. IC 12-20-6-10, AS AMENDED BY P.L.73-2005,
20 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 10. (a) As used in this section, "relative" includes
22 only the parent, stepparent, child, stepchild, sibling, stepsibling,
23 grandparent, stepgrandparent, grandchild, or stepgrandchild of a
24 **township local** assistance applicant.

25 (b) If an applicant who applies for **township local** assistance or a
26 member of the applicant's household has a relative living in the
27 township **or (after December 31, 2018) in the county, in the case of**
28 **a county not having a consolidated city**, who is able to assist the
29 applicant or member of the applicant's household, the **township trustee**
30 **shall, as administrator of township assistance and shall**, before granting
31 aid a second time, ask the relative to help the applicant or member of
32 the applicant's household, either with material relief or by furnishing
33 employment.

34 (c) ~~A township trustee~~ **An administrator** may not use **township**
35 **local** assistance funds to pay the cost of an applicant's shelter with a
36 relative who is the applicant's landlord if the applicant lives in:

37 (1) the same household as the relative; or

38 (2) housing separate from the relative and either:

39 (A) the housing is unencumbered by mortgage; or

40 (B) the housing has not been previously rented by the relative
41 to a different tenant at reasonable market rates for at least six
42 (6) months.



1 (d) If shelter payments are made to a relative of a ~~township local~~
 2 assistance applicant on behalf of the applicant or a member of the
 3 applicant's household, the ~~trustee~~ **administrator** may file a lien against
 4 the relative's real property for the amount of ~~township local~~ shelter
 5 assistance granted.

6 SECTION 71. IC 12-20-7-1, AS AMENDED BY P.L.145-2006,
 7 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Each applicant and each adult
 9 member of the applicant's household seeking ~~township local~~ assistance
 10 must consent to a disclosure and release of information about the
 11 applicant and the applicant's household before ~~township local~~
 12 assistance may be provided by the ~~township trustee~~ **administrator**.
 13 The consent must be made by signing a form prescribed by the state
 14 board of accounts. The form must include the following:

- 15 (1) The applicant's name, case number, and address.
 16 (2) The types of information being solicited, including the
 17 following:
 18 (A) Countable income.
 19 (B) Countable assets.
 20 (C) Wasted resources.
 21 (D) Relatives capable of providing assistance.
 22 (E) Past or present employment.
 23 (F) Pending claims or causes of action.
 24 (G) A medical condition if relevant to work or workfare
 25 requirements.
 26 (H) Any other information required by law.
 27 (3) The names of individuals, agencies, and ~~township trustee~~
 28 **administrator** offices that will receive the information.
 29 (4) The expiration date of the permission to disclose information.

30 (b) Information that is declared to be confidential by state or federal
 31 statute may not be obtained under the consent form prescribed by this
 32 section.

33 (c) The ~~township trustee~~ **administrator** shall keep on file and shall
 34 make available to the division of family resources and office of
 35 Medicaid policy and planning upon request a copy of the signed
 36 consent form described in subsection (a).

37 (d) The ~~township trustee~~ **administrator** shall send to the county
 38 office a copy of the signed consent form described in subsection (a).

39 (e) The division of family resources, county offices, and the office
 40 of Medicaid policy and planning shall make available to the ~~township~~
 41 ~~trustee~~ **administrator** upon request a copy of signed consent to
 42 disclosure and release of information forms in each entity's files.



1 (f) If an individual who is required to sign a form under this section
 2 is unable to sign the form in the ~~township trustee's~~ **administrator's**
 3 office due to a physical or mental disability or illness, the ~~township~~
 4 **trustee administrator** shall make alternate arrangements to obtain the
 5 individual's signature.

6 SECTION 72. IC 12-20-7-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The county office
 8 shall provide the following information to each ~~township trustee~~
 9 **administrator** located in the county:

10 (1) Information that will identify the types of public assistance
 11 that are being provided to the individual who signed the consent
 12 form and the individual's household.

13 (2) Information that will identify the amount of public assistance
 14 that is being received by the individual who signed the consent
 15 form and the individual's household.

16 (3) Information that will identify the number of individuals in the
 17 household of the individual who signed the consent form who are
 18 receiving public assistance.

19 (4) Information regarding the income, resources, or assets of
 20 members of the individual's household receiving public
 21 assistance.

22 (b) The county office must provide the information required under
 23 subsection (a) not later than fourteen (14) calendar days after obtaining
 24 the information.

25 SECTION 73. IC 12-20-7-2.5 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2.5. Upon request of
 27 the ~~township trustee, administrator~~, the department of employment
 28 and training services shall provide without charge information
 29 regarding:

30 (1) income, resources, and assets of; and

31 (2) benefits received by;

32 members of an applicant's household.

33 SECTION 74. IC 12-20-7-3, AS AMENDED BY P.L.73-2005,
 34 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 3. Upon request of the ~~township trustee,~~
 36 **administrator**, the employer of a ~~township local~~ assistance applicant
 37 or a member of the applicant's household shall provide the ~~township~~
 38 **trustee administrator** with information concerning salary or wages
 39 earned by the applicant or household member for purposes of
 40 determining the financial eligibility of the household to receive
 41 ~~township local~~ assistance.

42 SECTION 75. IC 12-20-7-3.5, AS AMENDED BY P.L.73-2005,



1 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 3.5. Upon request of the ~~township trustee;~~
3 **administrator**, a person holding assets or title to assets of a ~~township~~
4 **local** assistance applicant or a member of the applicant's household
5 shall provide the ~~township trustee~~ **administrator** with information
6 concerning the nature and value of those assets for purposes of
7 determining the household's financial eligibility to receive ~~township~~
8 **local** assistance.

9 SECTION 76. IC 12-20-7-4.5 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4.5. The ~~township~~
11 ~~trustee~~ **administrator** shall use the information received under section
12 2 of this chapter to assist in reducing fraud and abuse in aid programs
13 administered by the ~~township trustee.~~ **administrator.**

14 SECTION 77. IC 12-20-7-5, AS AMENDED BY P.L.145-2006,
15 SECTION 117, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2015]: Sec. 5. Information that is received
17 through the use of a consent form described in section 1 of this chapter
18 and that is not a public record open to inspection and copying under
19 any statute may be used only in connection with the following:

20 (1) The administration of the ~~township trustee's township~~
21 **administrator's local** assistance program.

22 (2) The administration of public assistance programs that are
23 administered by the division of family resources and county
24 offices.

25 SECTION 78. IC 12-20-7-6, AS AMENDED BY P.L.145-2006,
26 SECTION 118, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2015]: Sec. 6. ~~A township trustee; An~~
28 **administrator**, an assistant of a ~~township trustee; an administrator,~~
29 or an employee or a director of the division of family resources, the
30 office of Medicaid policy and planning, and county offices who
31 knowingly discloses or uses information that is obtained through the
32 use of a consent form described in section 1 of this chapter, except as
33 authorized by this chapter, commits a Class A misdemeanor.

34 SECTION 79. IC 12-20-8-3, AS AMENDED BY P.L.73-2005,
35 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 3. (a) The ~~township trustee~~ **administrator** may
37 deny ~~township local~~ assistance to an individual if the ~~township trustee~~
38 **administrator** determines that the individual does not intend to make
39 the township or county the individual's sole place of residence.

40 (b) The ~~township trustee~~ **administrator** may consider all relevant
41 information that supports or refutes the individual's intent to make the
42 township or county the individual's sole place of residence, except the



1 length of time the individual has been located in the township or
2 county.

3 SECTION 80. IC 12-20-8-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. A residence legally
5 acquired continues until the legal residence is lost or defeated by
6 acquiring a new legal residence or by willful and uninterrupted absence
7 from the township **or (after December 31, 2018) the county, in the**
8 **case of a county not having a consolidated city**, in which legal
9 residence has been gained.

10 SECTION 81. IC 12-20-8-7, AS AMENDED BY P.L.73-2005,
11 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 7. If the ~~township trustee, as administrator of~~
13 ~~township assistance~~, is unable to ascertain and establish the place of
14 legal residence of a poor individual within the township, **or (after**
15 **December 31, 2018) the county, in the case of a county not having**
16 **a consolidated city**, the ~~township trustee administrator~~ shall proceed
17 to provide assistance to the individual in the same manner as other poor
18 individuals are provided assistance.

19 SECTION 82. IC 12-20-9-2, AS AMENDED BY P.L.73-2005,
20 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 2. If an individual is:

- 22 (1) a child;
- 23 (2) the parent of a child requiring the parent's care; or
- 24 (3) sick, aged, injured, crippled, or physically or mentally unable
25 to work or travel;

26 the ~~township trustee, as administrator of township assistance~~, of the
27 township **or (after December 31, 2018) the county, in the case of a**
28 **county not having a consolidated city**, in which the individual is
29 found shall furnish ~~township~~ **local** assistance to the individual until the
30 individual can be returned to the place of the individual's legal
31 residence if that place can be determined.

32 SECTION 83. IC 12-20-9-3, AS AMENDED BY P.L.73-2005,
33 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 3. An individual:

- 35 (1) who:
 - 36 (A) applies to the ~~township trustee, as administrator of~~
37 ~~township assistance~~, for assistance or is in need of assistance;
 - 38 or
 - 39 (B) obtains free medical aid, hospitalization, public
40 institutional care, or assistance in any part at public expense;
 - 41 and
- 42 (2) who does not have legal residence in the township **or (after**



1 **December 31, 2018) the county, in the case of a county not**
 2 **having a consolidated city;**
 3 may be returned by the ~~township trustee, as administrator of township~~
 4 ~~assistance~~, to the individual's place of legal residence if that place can
 5 be determined.

6 SECTION 84. IC 12-20-9-4, AS AMENDED BY P.L.73-2005,
 7 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 4. The record of and bill for services provided
 9 under this chapter shall be filed and paid in the manner provided for
 10 the filing and payment of other kinds of relief provided by the ~~township~~
 11 ~~trustee, as administrator. of township assistance.~~ The ~~township trustee,~~
 12 ~~as administrator of township assistance,~~ shall pay bills from any
 13 available fund for providing **township local** assistance.

14 SECTION 85. IC 12-20-9-5, AS AMENDED BY P.L.73-2005,
 15 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 5. If an individual or a member of an individual's
 17 household who is determined to be eligible for **township local**
 18 assistance and entitled to temporary relief is in a township **or (after**
 19 **December 31, 2018) the county, in the case of a county not having**
 20 **a consolidated city**, in which the individual or household member does
 21 not have legal residence, the ~~township trustee, as administrator of~~
 22 ~~township assistance,~~ may, if the **trustee administrator** considers
 23 advisable, place the individual or household member temporarily in a
 24 county home as provided in IC 12-20-17-4.

25 SECTION 86. IC 12-20-9-6, AS AMENDED BY P.L.73-2005,
 26 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 6. An individual may be denied **township local**
 28 assistance for not more than one hundred eighty (180) days whenever
 29 the individual or a member of the individual's household:

30 (1) has been:

31 (A) sent by a township **or (after December 31, 2018) county,**
 32 **in the case of a county not having a consolidated city**, where
 33 the individual does not reside to a location outside the
 34 township **or (after December 31, 2018) the county, in the**
 35 **case of a county not having a consolidated city**, at the
 36 individual's request or by court order; and

37 (B) transported to a location outside the township **or (after**
 38 **December 31, 2018) the county, in the case of a county not**
 39 **having a consolidated city**, at public expense; and

40 (2) knowingly reapplies for assistance in the township **or (after**
 41 **December 31, 2018) the county, in the case of a county not**
 42 **having a consolidated city**, from which the individual or member



1 of the individual's household was sent.
 2 SECTION 87. IC 12-20-10-1, AS AMENDED BY P.L.73-2005,
 3 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 1. If a **township local** assistance applicant is in
 5 good health or if any members of the applicant's household are in good
 6 health, the ~~township trustee, as administrator of township assistance,~~
 7 shall require the individuals who are able to work to seek employment.
 8 The ~~township trustee administrator~~ shall refuse to furnish any
 9 **township local** assistance until the ~~township trustee administrator~~ is
 10 satisfied that the **township local** assistance applicant or members of the
 11 applicant's household are endeavoring to find work.

12 SECTION 88. IC 12-20-10-2, AS AMENDED BY P.L.73-2005,
 13 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 2. If:

15 (1) a **township local** assistance applicant is in good health and
 16 able to work; and

17 (2) either:

18 (A) the ~~township trustee, as administrator of township~~
 19 ~~assistance,~~ offers employment to the **township local** assistance
 20 applicant, regardless of whether the compensation for the work
 21 is in the form of money, house rent, or commodities consisting
 22 of the necessaries of life; or

23 (B) employment at a reasonable compensation is offered by
 24 any other individual, governmental agency, or employer;

25 the ~~township trustee, as administrator of township assistance,~~ shall not
 26 furnish **township local** assistance to the applicant until the ~~township~~
 27 **local** assistance applicant performs the work or shows just cause for not
 28 performing the work. However, a **township local** assistance applicant
 29 may be given admission to the county home, where the **township local**
 30 assistance applicant shall be compelled to work.

31 SECTION 89. IC 12-20-10-3, AS AMENDED BY P.L.73-2005,
 32 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 3. ~~A township trustee, as An~~ administrator of
 34 ~~township assistance,~~ shall make all possible efforts to secure
 35 employment for an able-bodied **township local** assistance applicant in
 36 the township or **(after December 31, 2018) the county, in the case of**
 37 **a county not having a consolidated city**, where the applicant resides.

38 SECTION 90. IC 12-20-10-3.5, AS AMENDED BY P.L.73-2005,
 39 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2015]: Sec. 3.5. If a **township local** assistance applicant or a
 41 member of the applicant's household claims an inability to work due to
 42 health, the ~~township trustee administrator~~ may require and provide for



1 any medical examination necessary for the ~~township trustee~~
 2 **administrator** to determine whether the applicant or household
 3 member is able to perform work.

4 SECTION 91. IC 12-20-10-4, AS AMENDED BY P.L.73-2005,
 5 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 4. The ~~township trustee~~ **administrator** may call
 7 upon residents of the township **or (after December 31, 2018) the**
 8 **county, in the case of a county not having a consolidated city,** to aid
 9 in finding employment for a ~~township local~~ assistance applicant who
 10 is able to work.

11 SECTION 92. IC 12-20-11-1, AS AMENDED BY P.L.73-2005,
 12 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 1. (a) The ~~township trustee~~ **administrator** shall
 14 obligate any adult member of a recipient household to do any work
 15 needed to be done within the county or an adjoining township in any
 16 other county for any nonprofit agency or governmental unit, including
 17 the state, having jurisdiction in those townships, unless:

18 (1) the obligated individual is not physically able to perform the
 19 proposed work;

20 (2) the obligated individual is a minor or is at least sixty-five (65)
 21 years of age;

22 (3) the obligated individual has full-time employment at the time
 23 the recipient receives ~~township local~~ assistance;

24 (4) the obligated individual is needed to care for an individual as
 25 a result of the individual's age or physical condition;

26 (5) the ~~township trustee~~ **administrator** determines that there is no
 27 work available for any adult member of the recipient household;
 28 or

29 (6) the individual obligated to perform the work is, at the
 30 direction of the ~~township trustee~~, **administrator**, attending:

31 (A) courses under section 3 of this chapter; or

32 (B) a job training program under IC 12-20-12-1 or another job
 33 training program approved by the ~~township trustee~~.
 34 **administrator.**

35 (b) The ~~township trustee~~ **administrator** shall determine a ~~township~~
 36 **local** assistance applicant's suitability to perform available work under
 37 this section. The ~~township trustee~~ **administrator** may provide for
 38 medical examinations necessary to make the determination.

39 (c) A ~~township local~~ assistance recipient shall perform an amount
 40 of work that equals the value of assistance received by the ~~township~~
 41 **local** assistance recipient or the recipient's household. The ~~township~~
 42 **local** assistance recipient shall receive credit for the work performed,



1 as assigned by the ~~township trustee~~, **administrator**, at a rate not less
2 than the federal minimum wage.

3 (d) The unit of government or nonprofit agency for which work is
4 performed under this section shall furnish the necessary tools,
5 materials, or transportation, unless the ~~trustee~~ **administrator** agrees in
6 writing to furnish the necessary tools, materials, or transportation.

7 (e) Supervision of the work of a ~~township local~~ assistance recipient
8 under this section is the responsibility of the governmental unit or
9 nonprofit agency for which the work is performed.

10 (f) The ~~township trustee~~ **administrator** shall see that a ~~township~~
11 **local** assistance recipient performing work under this section is covered
12 by adequate liability insurance for injuries or damages suffered by or
13 caused by the ~~township local~~ assistance recipient.

14 (g) A ~~township local~~ assistance recipient may not be assigned to
15 work that would result in the displacement of governmental employees
16 or in the reduction of hours worked by governmental employees.

17 (h) The failure of a ~~township local~~ assistance recipient to perform
18 work assigned by the ~~township trustee~~ **administrator** within a
19 reasonable period required by the ~~township trustee~~ **administrator** is a
20 basis for denying further assistance to the recipient or the recipient's
21 household for not more than one hundred eighty (180) days, unless the
22 recipient shows good cause for not performing the work.

23 SECTION 93. IC 12-20-11-2, AS AMENDED BY P.L.73-2005,
24 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2015]: Sec. 2. (a) The ~~township trustee~~ **administrator** may
26 require the recipient to perform work for nonprofit human services
27 agencies located within the county or an adjoining township in another
28 county unless the recipient attends courses under section 3 of this
29 chapter.

30 (b) The ~~township trustee~~ **administrator** shall determine a ~~township~~
31 **local** assistance applicant's suitability to perform available work under
32 this section. The ~~township trustee~~ **administrator** may provide for
33 medical examinations necessary to make the determination.

34 (c) A ~~township local~~ assistance recipient shall perform an amount
35 of work that equals the value of assistance received by the ~~township~~
36 **local** assistance recipient or the recipient's household. The ~~township~~
37 **local** assistance recipient shall work off the assistance at a rate not less
38 than the federal minimum wage.

39 (d) The nonprofit agency for which work is performed under this
40 section shall furnish the necessary tools, materials, or transportation,
41 unless the ~~trustee~~ **administrator** agrees in writing to furnish the
42 necessary tools, materials, or transportation to and from the work site



1 from the ~~trustee's~~ **administrator's** office.

2 (e) Supervision of the work of a ~~township local~~ assistance recipient
3 under this section is the responsibility of the nonprofit agency for
4 which the work is performed.

5 (f) The ~~township trustee administrator~~ shall ensure that a ~~township~~
6 **local** assistance recipient performing work under this section is covered
7 by adequate liability insurance for injuries or damages suffered by or
8 caused by the ~~township local~~ assistance recipient.

9 (g) A ~~township local~~ assistance recipient may not be assigned to
10 work that would result in the displacement of employees of the
11 nonprofit agency or in the reduction of hours worked by those
12 employees.

13 SECTION 94. IC 12-20-11-3, AS AMENDED BY P.L.7-2011,
14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 3. (a) If a ~~township local~~ assistance recipient, after
16 referral by the ~~township trustee; administrator~~, is accepted and
17 attends:

18 (1) adult education courses under IC 20-30-6-1 (before its repeal)
19 or IC 22-4.1-18; or

20 (2) courses at Ivy Tech Community College;
21 the ~~township local~~ assistance recipient is exempt from performing work
22 or searching for work for not more than one hundred eighty (180) days.

23 (b) The ~~township trustee administrator~~ may reimburse a ~~township~~
24 **local** assistance recipient for tuition expenses incurred in attending the
25 courses described in subsection (a) if the recipient:

26 (1) has a proven aptitude for the courses being studied;
27 (2) was referred by the ~~trustee; administrator~~;
28 (3) does not qualify for other tax supported educational programs;
29 (4) maintains a passing grade in each course; and
30 (5) maintains the minimum attendance requirements specified by
31 the educational institution.

32 SECTION 95. IC 12-20-11-4, AS AMENDED BY P.L.73-2005,
33 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 4. (a) The ~~township trustee administrator~~ may
35 require a ~~township local~~ assistance applicant or an adult member of the
36 applicant's household to satisfy all obligations to perform work
37 incurred in another township **or (after December 31, 2018) another**
38 **county, in the case of a county not having a consolidated city,**
39 before additional ~~township local~~ assistance is granted. However, in
40 case of an emergency, the ~~trustee administrator~~ may temporarily
41 waive the work obligation incurred from another township **or (after**
42 **December 31, 2018) another county, in the case of a county not**



1 **having a consolidated city**, and provide temporary assistance to an
 2 applicant or a household in order to relieve need or immediate
 3 suffering.

4 (b) The ~~township trustee~~ **administrator** may request from another
 5 ~~township trustee~~ **administrator** documentation necessary to confirm
 6 that a ~~township local~~ assistance applicant or an adult member of the
 7 applicant's household performed or did not perform work in another
 8 township **or (after December 31, 2018) the county, in the case of a**
 9 **county not having a consolidated city.**

10 SECTION 96. IC 12-20-11-5, AS AMENDED BY P.L.73-2005,
 11 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 5. (a) Work performed under this chapter is
 13 considered as satisfaction of a condition for ~~township local~~ assistance
 14 and is not considered as services performed for remuneration or as
 15 repayment for ~~township local~~ assistance. However, a ~~township local~~
 16 assistance recipient performing work under this chapter and the
 17 governmental unit or nonprofit agency for which the recipient works
 18 are covered by the medical treatment and burial expense provisions of
 19 IC 22-3-2 through IC 22-3-6 with regard to the work performed.

20 (b) ~~A township trustee~~ **An administrator** may not seek federal or
 21 state reimbursement, foreclose a lien, or otherwise seek repayment of
 22 assistance for which a recipient or an adult member of the recipient's
 23 household has satisfactorily completed a workfare requirement.

24 SECTION 97. IC 12-20-12-1, AS AMENDED BY P.L.73-2005,
 25 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 1. As a condition of continuing eligibility, ~~a~~
 27 ~~township trustee~~ **an administrator** may require a recipient of ~~township~~
 28 **local** assistance or any member of a recipient's household to participate
 29 in an appropriate work training program that is offered to the recipient
 30 or a member of the recipient's household within the county or an
 31 adjoining township in another county by a:

- 32 (1) federal, state, or local governmental entity; or
 33 (2) nonprofit agency.

34 SECTION 98. IC 12-20-13-1, AS AMENDED BY P.L.73-2005,
 35 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2015]: Sec. 1. ~~A township trustee~~ **An administrator** may,
 37 with the approval of the township board, **or (after December 31, 2018)**
 38 **the county fiscal body, in the case of a county not having a**
 39 **consolidated city**, do the following:

- 40 (1) Conduct the following for ~~township local~~ assistance recipients
 41 in the township:
 42 (A) Rehabilitation programs.



- 1 (B) Training programs.
 2 (C) Retraining programs.
 3 (D) Work programs.
 4 (2) Employ personnel to supervise the programs.
 5 (3) Pay the costs of the programs from **township local** assistance
 6 money.
- 7 SECTION 99. IC 12-20-13-3, AS AMENDED BY P.L.73-2005,
 8 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 3. (a) An expenditure of money may not be made
 10 under this chapter except after a specific appropriation made and
 11 approved in the manner provided by law.
- 12 (b) An appropriation may not be made or approved unless a
 13 sufficient amount of money to cover the proposed expenditure is
 14 included in the annual budget of the **township trustee administrator**
 15 for **township local** assistance purposes.
- 16 SECTION 100. IC 12-20-15-0.5 IS ADDED TO THE INDIANA
 17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. After December 31, 2018, this**
 19 **chapter does not apply to a county not having a consolidated city.**
- 20 SECTION 101. IC 12-20-15-1, AS AMENDED BY P.L.73-2005,
 21 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 1. If an applicant for or recipient of **township local**
 23 assistance is not satisfied with the decision of the **township trustee**, as
 24 administrator, of **township assistance**, the applicant or recipient may
 25 appeal to the board of commissioners.
- 26 SECTION 102. IC 12-20-15-2, AS AMENDED BY P.L.73-2005,
 27 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2015]: Sec. 2. An applicant for **township local** assistance must
 29 file the applicant's appeal not more than fifteen (15) days from the date
 30 of issuance by the **township trustee administrator** of adequate written
 31 notice of the denial of **township local** assistance as provided by
 32 IC 12-20-6-8. An appeal must be made in writing or orally as required
 33 by the board of commissioners.
- 34 SECTION 103. IC 12-20-15-3, AS AMENDED BY P.L.73-2005,
 35 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2015]: Sec. 3. (a) The board of county commissioners may:
 37 (1) conduct a hearing on the appeal; or
 38 (2) appoint a hearing officer:
 39 (A) from among the board;
 40 (B) from among the employees of the board; or
 41 (C) from qualified residents of the county;
 42 who will conduct a hearing for the board.



1 (b) The board of county commissioners shall develop uniform
2 written procedures, including provisions for:

3 (1) before the hearing, an opportunity for the appellant or the
4 appellant's legal representative to review the appellant's ~~township~~
5 **local** assistance file and any documents or evidence used by the
6 ~~township trustee~~ **administrator** to make the determination under
7 appeal;

8 (2) the order of the proceeding and the procedure for subpoena:

9 (A) of a witness; or

10 (B) for production of evidence;

11 if reasonably requested by the appellant or the ~~township trustee;~~
12 **administrator;** and

13 (3) the issuance of a hearing decision within the period prescribed
14 by section 6(b)(2) of this chapter.

15 SECTION 104. IC 12-20-15-4, AS AMENDED BY P.L.73-2005,
16 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 4. (a) In hearing an appeal, the board of
18 commissioners and a hearing officer shall:

19 (1) review and consider any report or investigative documents the
20 ~~trustee~~ **administrator** prepared before making the appealed
21 decision; and

22 (2) be governed by the township's ~~township~~ **local** assistance
23 standards for determining eligibility to the extent that the
24 standards comply with existing law for the granting of ~~township~~
25 **local** assistance. If no legally sufficient standards have been
26 established, the board of commissioners and the hearing officer
27 shall be guided by the circumstances in each case.

28 (b) The board of commissioners shall remand a case to a ~~trustee~~ **an**
29 **administrator** for further proceedings if:

30 (1) new evidence was presented by the applicant to the board of
31 commissioners; and

32 (2) the board of commissioners determines that the new evidence
33 presented would have made the individual eligible for assistance.

34 (c) If a case is remanded to a ~~trustee;~~ **an administrator,** the ~~trustee~~
35 **administrator** shall issue a new determination of eligibility not later
36 than seventy-two (72) hours after receiving the written decision
37 remanding the case, excluding weekends and legal holidays listed in
38 IC 1-1-9.

39 SECTION 105. IC 12-20-15-5, AS AMENDED BY P.L.73-2005,
40 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 5. The appellant must be present at a hearing
42 conducted by the board of commissioners or a hearing officer. The



1 township trustee, as administrator of township assistance, or the
 2 trustee's **administrator's** representative shall be notified in writing of
 3 the hearing date and time, but the failure of the township trustee or the
 4 trustee's **administrator or administrator's** representative to be
 5 present is not a cause for postponement of the hearing unless the
 6 trustee **administrator** requests and is granted a continuance. A
 7 continuance requested by the township trustee **administrator** does not
 8 reduce the period required for a decision under section 6(b)(2) of this
 9 chapter.

10 SECTION 106. IC 12-20-15-6 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) The board of
 12 commissioners shall hold a hearing as soon as possible after the filing
 13 of an appeal but not more than ten (10) working days after the appeal
 14 form or other notice of appeal is received in the office of the board of
 15 commissioners.

16 (b) The board of commissioners shall issue a written decision that
 17 must:

- 18 (1) appear in the official records of the board;
- 19 (2) be issued to the appellant and the township trustee
 20 **administrator** not more than five (5) working days following the
 21 date of the hearing;
- 22 (3) state the legal and factual basis for the decision;
- 23 (4) advise the appellant and the township trustee **administrator**
 24 of the right to judicial review and the period prescribed for
 25 requesting judicial review; and
- 26 (5) inform the appellant of the availability of free legal counsel
 27 for the indigent.

28 SECTION 107. IC 12-20-15-7, AS AMENDED BY P.L.73-2005,
 29 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 7. The township trustee, as administrator of
 31 township local assistance shall carry out a decision of the board to
 32 sustain, increase, grant, or otherwise modify township local assistance
 33 only if the board of commissioners complies with the requirements for
 34 a written decision under section 6 of this chapter.

35 SECTION 108. IC 12-20-15-8, AS AMENDED BY P.L.73-2005,
 36 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 8. (a) The township trustee **administrator** or an
 38 applicant may appeal a decision of the board of commissioners to a
 39 circuit or superior court with jurisdiction in the county.

40 (b) In hearing an appeal, the court shall be governed by the
 41 township's township local assistance standards for determining
 42 eligibility for granting township local assistance in the township. If



1 legally sufficient standards have not been established, the court shall
2 be guided by the circumstances of the case.

3 SECTION 109. IC 12-20-15-9 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. If the court sets aside
5 a decision of the board of commissioners in favor of an applicant, the
6 ~~township trustee~~ **administrator** may recover the amount of any
7 assistance awarded as a result of the board's decision.

8 SECTION 110. IC 12-20-15.1 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2015]:

11 **Chapter 15.1. Appeals of Denial or Reduction in the Amount of**
12 **Local Assistance in Counties Other Than Marion County**

13 **Sec. 1. This chapter applies after December 31, 2018. This**
14 **chapter applies only to a county that does not have a consolidated**
15 **city.**

16 **Sec. 2. If an applicant for or recipient of local assistance is not**
17 **satisfied with the decision of the county, the applicant or recipient**
18 **may appeal to the circuit court in the county.**

19 **Sec. 3. In hearing an appeal, the court is governed by the**
20 **county's local assistance standards for determining eligibility for**
21 **granting local assistance in the county. If legally sufficient**
22 **standards have not been established, the court is guided by the**
23 **circumstances of the case.**

24 SECTION 111. IC 12-20-16-1, AS AMENDED BY P.L.73-2005,
25 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2015]: Sec. 1. ~~A township trustee, as An~~ administrator of
27 ~~township local~~ assistance may provide and shall extend ~~township local~~
28 assistance only when the personal effort of the ~~township local~~
29 assistance applicant fails to provide one (1) or more basic necessities.

30 SECTION 112. IC 12-20-16-2, AS AMENDED BY P.L.73-2005,
31 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 2. (a) Except as provided in subsections (b) and
33 (c), the ~~township trustee~~ **administrator** shall, in cases of necessity, do
34 the following:

35 (1) Promptly provide medical assistance for poor individuals in
36 the township **or (after December 31, 2018) in the county, in the**
37 **case of a county not having a consolidated city**, who are not
38 provided for in public institutions.

39 (2) See that medicines, medical supplies, special diets, or tests
40 prescribed by a physician or surgeon in attendance upon poor
41 individuals in the township **or (after December 31, 2018) in the**
42 **county, in the case of a county not having a consolidated city,**



- 1 are properly furnished.
- 2 (b) ~~A township trustee~~ **An administrator** may not provide to an
- 3 individual medical assistance under the ~~township local~~ assistance
- 4 program if the individual could qualify for medical assistance for the
- 5 same service under:
- 6 (1) IC 12-16;
- 7 (2) Medicaid;
- 8 (3) other governmental medical programs; or
- 9 (4) private health insurance that would cover the individual at the
- 10 time the assistance was provided. However, if the individual's
- 11 insurance does not pay for the medical assistance due to a policy
- 12 deductible or other policy limitation, the ~~township trustee~~
- 13 **administrator** shall pay for medical assistance that the ~~trustee~~
- 14 **administrator** would provide if the individual did not have
- 15 insurance.
- 16 However, ~~a township trustee~~ **an administrator** may provide interim
- 17 medical services during the period that the individual has an
- 18 application pending for medical assistance under Medicaid (IC 12-15)
- 19 or another governmental medical program if the individual is
- 20 reasonably complying with all requirements of the application process.
- 21 (c) The ~~township trustee~~ **administrator** shall pay only for the
- 22 following medical services for the poor of the township **or (after**
- 23 **December 31, 2018) in the county, in the case of a county not**
- 24 **having a consolidated city:**
- 25 (1) Prescription drugs, not to exceed a thirty (30) day supply at a
- 26 time, as prescribed by an attending practitioner (as defined in
- 27 IC 16-42-19-5) other than a veterinarian. However, if the
- 28 prescription drugs are available only in a container that contains
- 29 more than a thirty (30) day supply, the ~~township trustee~~
- 30 **administrator** may pay for the available size.
- 31 (2) Office calls to a physician licensed under IC 25-22.5 or
- 32 another medical provider.
- 33 (3) Dental care needed to relieve pain or infection or to repair
- 34 cavities.
- 35 (4) Repair or replacement of dentures.
- 36 (5) Emergency room treatment that is of an emergency nature.
- 37 (6) Preoperation testing prescribed by an attending physician
- 38 licensed under IC 25-22.5.
- 39 (7) Over-the-counter drugs prescribed by a practitioner (as
- 40 defined in IC 16-42-19-5) other than a veterinarian.
- 41 (8) X-rays and laboratory testing as prescribed by an attending
- 42 physician licensed under IC 25-22.5.



- 1 (9) Visits to a medical specialist when referred by an attending
 2 physician licensed under IC 25-22.5.
- 3 (10) Physical therapy prescribed by an attending physician
 4 licensed under IC 25-22.5.
- 5 (11) Eyeglasses.
- 6 (12) Repair or replacement of a prosthesis not provided for by
 7 other tax supported state or federal programs.
- 8 (13) Insulin and items needed to administer the biological, not to
 9 exceed a thirty (30) day supply at a time, in accordance with
 10 section 14 of this chapter. However, if the biologicals are
 11 available only in a container that contains more than a thirty (30)
 12 day supply, the ~~township trustee~~ **administrator** may pay for the
 13 available size.
- 14 (d) The ~~township trustee~~ **administrator** may establish a list of
 15 approved medical providers to provide medical services to the poor of
 16 the township **or (after December 31, 2018) in the county, in the case**
 17 **of a county not having a consolidated city.** Any medical provider
 18 who:
- 19 (1) can provide the particular medical services within the scope
 20 of the provider's license issued under IC 25; and
- 21 (2) is willing to provide the medical services for the charges
 22 established by the ~~township trustee~~; **administrator**;
- 23 is entitled to be included on the list.
- 24 (e) Unless prohibited by federal law, a ~~township trustee~~ **an**
 25 **administrator** who:
- 26 (1) provides to an individual medical assistance that is eligible for
 27 payment under any medical program described in subsection (b)
 28 for which payments are administered by an agency of the state
 29 during the pendency of the individual's successful application for
 30 the program; and
- 31 (2) submits a timely and proper claim to the agency;
- 32 is eligible for reimbursement by the agency to the same extent as any
 33 medical provider.
- 34 (f) If a ~~township trustee~~ **an administrator** provides medical
 35 assistance for medical services provided to an individual who is
 36 subsequently determined to be eligible for Medicaid:
- 37 (1) the ~~township trustee~~ **administrator** shall notify the medical
 38 provider that provided the medical services of the individual's
 39 eligibility; and
- 40 (2) not later than thirty (30) days after the medical provider
 41 receives the notice under subdivision (1), the medical provider
 42 shall file a claim for reimbursement with the office.



1 (g) A medical provider that is reimbursed under subsection (f) shall,
 2 not later than thirty (30) days after receiving the reimbursement, pay to
 3 the ~~township trustee~~ **administrator** the lesser of:

4 (1) the amount of medical assistance received from the ~~trustee~~
 5 **administrator** to an individual; or

6 (2) the amount reimbursed by Medicaid to the medical provider.

7 SECTION 113. IC 12-20-16-3, AS AMENDED BY P.L.1-2007,
 8 SECTION 125, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The ~~township trustee~~
 10 **administrator** may, in cases of necessity, authorize the payment from
 11 ~~township local~~ assistance money for essential utility services, including
 12 the following:

13 (1) Water services.

14 (2) Gas services.

15 (3) Electric services.

16 (4) Fuel oil services for fuel oil used for heating or cooking.

17 (5) Coal, wood, or liquid propane used for heating or cooking.

18 (b) The ~~township trustee~~ **administrator** may authorize the payment
 19 of delinquent bills for the services listed in subsection (a)(1) through
 20 (a)(5) when necessary to prevent the termination of the services or to
 21 restore terminated service if the delinquency has lasted not longer than
 22 twenty-four (24) months. The ~~township trustee~~ **administrator** has no
 23 obligation to pay a delinquent bill for the services or materials listed in
 24 subsection (a)(1) through (a)(5) if the delinquency has lasted longer
 25 than twenty-four (24) months.

26 (c) The ~~township trustee~~ **administrator** is not required to pay for
 27 any utility service:

28 (1) that is not properly charged to:

29 (A) an adult member of a household;

30 (B) an emancipated minor who is head of the household; or

31 (C) a landlord or former member of the household if the
 32 applicant proves that the applicant:

33 (i) received the services as a tenant residing at the service
 34 address at the time the cost was incurred; and

35 (ii) is responsible for payment of the bill;

36 (2) received as a result of a fraudulent act by any adult member of
 37 a household requesting township assistance; or

38 (3) that includes the use of ~~township~~ **local** assistance funds for the
 39 payment of:

40 (A) a security deposit; or

41 (B) damages caused by a ~~township~~ **local** assistance applicant
 42 to utility company property.



1 (d) The amount paid by the ~~township trustee~~, as administrator of
 2 ~~township assistance~~, and the amount charged for water services may
 3 not exceed the minimum rate charged for the service as fixed by the
 4 Indiana utility regulatory commission.

5 (e) This subsection applies only during the part of each year when
 6 applications for heating assistance are accepted by the lieutenant
 7 governor under IC 4-4-33. A ~~township trustee~~ **administrator** may
 8 not provide assistance to make any part of a payment for heating fuel
 9 or electric services for more than thirty (30) days unless the individual
 10 files an application with the ~~township trustee~~ **administrator** that
 11 includes the following:

12 (1) Evidence of application for assistance for heating fuel or
 13 electric services from the lieutenant governor.

14 (2) The amount of assistance received or the reason for denial of
 15 assistance.

16 The ~~township trustee~~ **administrator** shall inform an applicant for
 17 assistance for heating fuel or electric services that assistance for
 18 heating fuel and electric services may be available from the lieutenant
 19 governor under IC 4-4-33 and that the ~~township trustee~~ **administrator**
 20 may not provide assistance to make any part of a payment for those
 21 services for more than thirty (30) days unless the individual files an
 22 application for assistance for heating fuel or electric services under
 23 IC 4-4-33. However, if the applicant household is eligible under criteria
 24 established by the lieutenant governor for energy assistance under
 25 IC 4-4-33, the ~~trustee~~ **administrator** may certify the applicant as
 26 eligible for that assistance by completing an application form
 27 prescribed by the state board of accounts and forwarding the eligibility
 28 certificate to the lieutenant governor within the period established for
 29 the acceptance of applications. If the ~~trustee~~ **administrator** follows this
 30 certification procedure, no other application is required for assistance
 31 under IC 4-4-33.

32 (f) If an individual or a member of an individual's household has
 33 received assistance under subsection (b), the individual must, before
 34 the individual or the member of the individual's household may receive
 35 further assistance under subsection (b), certify whether the individual's
 36 or household's income, resources, or household size has changed since
 37 the individual filed the most recent application for ~~township local~~
 38 assistance. If the individual or a member of the individual's household
 39 certifies that the income, resources, or household size has changed, the
 40 ~~township trustee~~ **administrator** shall review the individual's or
 41 household's eligibility and may make any necessary adjustments in the
 42 level of assistance provided to the individual or to a member of the



1 individual's household.

2 SECTION 114. IC 12-20-16-5, AS AMENDED BY P.L.73-2005,
 3 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 5. (a) An applicant or a household that receives
 5 food relief in any township having a population of more than ten
 6 thousand (10,000) **or (after December 31, 2018) county, in a county**
 7 **not having a consolidated city that has a population of more than**
 8 **ten thousand (10,000)**, may request the ~~township trustee, as~~
 9 administrator of ~~township assistance~~, to issue a food order upon any
 10 eligible market, and the ~~township trustee, as administrator of township~~
 11 ~~assistance~~, shall abide by that request.

12 (b) The amount of a food order for various sized households that are
 13 determined by the ~~trustee administrator~~ to be eligible for ~~township~~
 14 **local** assistance shall be based upon uniform monthly amounts
 15 specified in the township's ~~township local~~ assistance standards.
 16 However, an additional amount of food may be ordered for special
 17 health reasons as prescribed by a physician. A supplemental food order
 18 may be issued because of the loss of the recipient's food by:

- 19 (1) fire, flood, or other natural disaster;
 20 (2) burglary or other criminal act; or
 21 (3) the unpreventable spoilage of food.

22 (c) The ~~trustee administrator~~ may issue a food order to an eligible
 23 applicant on either a daily, weekly, or monthly basis.

24 SECTION 115. IC 12-20-16-6, AS AMENDED BY P.L.73-2005,
 25 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 6. (a) Except as provided in subsection (b), a
 27 ~~township trustee, as an administrator of township assistance~~, may not
 28 purchase food out of the ~~township local~~ assistance fund for an
 29 applicant or a household that is eligible to participate in the federal
 30 food stamp program.

31 (b) ~~A township trustee, as An administrator of township assistance~~,
 32 may purchase food for an eligible food stamp applicant or household
 33 only under any of the following conditions:

- 34 (1) During the interim period beginning when an applicant or a
 35 household is awaiting a determination of eligibility from the food
 36 stamp office and ending not more than five (5) days after the day
 37 the applicant or household becomes eligible to participate in the
 38 federal food stamp program.
 39 (2) Upon the verified loss of the household's food stamps or food
 40 supply by:
 41 (A) fire or other natural disaster; or
 42 (B) burglary or other criminal act, if the requesting applicant



- 1 or household files a report with the appropriate law
 2 enforcement agency.
- 3 (3) Upon the loss of the applicant's or household's food supply
 4 through spoilage.
- 5 (4) Upon a written statement from a physician indicating that at
 6 least one (1) member of the household needs a special diet, the
 7 cost of which is greater than can be purchased with the
 8 household's allotment of food stamps.
- 9 (5) If the ~~township trustee, as administrator of township~~
 10 ~~assistance,~~ determines that an applicant or a household:
 11 (A) is in need of supplementary food assistance; and
 12 (B) has participated in the federal food stamp program to the
 13 fullest extent allowable under federal and state law;
 14 and supplementary food assistance is required by the
 15 circumstances of the particular case.
- 16 SECTION 116. IC 12-20-16-7, AS AMENDED BY P.L.73-2005,
 17 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2015]: Sec. 7. (a) A combined grocery (marketing fresh
 19 vegetables, fresh eggs, and dairy products) and meat market (marketing
 20 fresh meat) in a township having a population of more than ten
 21 thousand (10,000) **or (after December 31, 2018) county, in a county**
 22 **that has a population of more than ten thousand (10,000) and does**
 23 **not have a consolidated city**, is eligible to accept food purchase orders
 24 from the ~~township trustee, as administrator of township assistance,~~ in
 25 the township **or (after December 31, 2018) county, in a county not**
 26 **having a consolidated city**, in which the market is located if the owner
 27 of the market has applied to the ~~township trustee administrator~~ using
 28 a form prescribed by the state board of accounts.
- 29 (b) A market described in subsection (a) remains eligible to accept
 30 township food purchase orders unless any of the following conditions
 31 exist:
- 32 (1) The owner notifies the ~~township trustee, as administrator of~~
 33 ~~township assistance,~~ to remove the owner's market from the
 34 eligible list.
- 35 (2) An appropriate health or other governmental agency closes the
 36 market.
- 37 (3) The ~~township trustee, as administrator of township assistance,~~
 38 removes the market from the eligible list for a period not to
 39 exceed six (6) months because the management of the market, in
 40 filling a township food or household supply order:
 41 (A) includes in the order tobacco products, alcoholic
 42 beverages, or other nonqualifying items; or



- 1 (B) fails to routinely request identification from an individual
 2 who redeems a township purchase order.
- 3 (4) A person who owns or is employed by the market has been
 4 convicted of ~~township~~ **local** assistance fraud under
 5 IC 12-20-1-4(c).
- 6 (c) A combined grocery and meat market shall, in filling a township
 7 purchase order for food and household supplies, attach to the purchase
 8 order form either a cash register tape or a written or typed itemization
 9 of the cost of the food and household supplies purchased. Household
 10 supplies, including first aid and medical supplies, are not considered
 11 food.
- 12 (d) The cash register tape or itemization required by subsection (c)
 13 is the full and complete record of purchase for all purposes. More
 14 complete records or itemization may not be required by any individual,
 15 government official, or entity.
- 16 SECTION 117. IC 12-20-16-8, AS AMENDED BY P.L.73-2005,
 17 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2015]: Sec. 8. (a) If an applicant or a household is considered
 19 by the ~~township trustee, as administrator of township assistance,~~ to be
 20 incompetent or irresponsible to select food from a combined grocery
 21 and meat market or to make proper use of food stamps, the ~~township~~
 22 ~~trustee, as administrator of township assistance,~~ shall issue the food
 23 purchase order in the name of one (1) of the following:
 24 (1) Another adult member of the household.
 25 (2) Another relative living in another household.
 26 (3) Any other individual considered competent by the ~~township~~
 27 ~~trustee, as administrator. of township assistance.~~
- 28 (b) For the purpose of selecting the combined grocery and meat
 29 market in a township having a population of more than ten thousand
 30 (10,000) from which food for the household is to be obtained, the
 31 competent individual referred to in subsection (a) shall be considered
 32 the individual responsible.
- 33 SECTION 118. IC 12-20-16-9, AS AMENDED BY P.L.145-2006,
 34 SECTION 119, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) ~~A township trustee~~ **An**
 36 **administrator** may not provide food assistance for more than thirty
 37 (30) days unless an individual files an application with the ~~township~~
 38 ~~trustee administrator~~ that includes the following:
 39 (1) Evidence of application for food stamps from the division of
 40 family resources.
 41 (2) The amount of assistance received or the reason for denial of
 42 assistance.



1 (b) The ~~township trustee~~ **administrator** shall inform an applicant
 2 for food assistance that food stamps may be available from the division
 3 of family resources and that the ~~township trustee~~ **administrator** may
 4 not provide food assistance for more than thirty (30) days unless the
 5 individual files an application for food stamps with the division of
 6 family resources.

7 SECTION 119. IC 12-20-16-10, AS AMENDED BY P.L.73-2005,
 8 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 10. The ~~township trustee~~, as administrator of
 10 ~~township assistance~~, may purchase feed for a minimum amount of
 11 subsistence livestock if the cost is less than the cost of food that is
 12 otherwise necessary for the ~~township trustee~~ **administrator** to furnish
 13 under this chapter.

14 SECTION 120. IC 12-20-16-11, AS AMENDED BY P.L.73-2005,
 15 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 11. (a) ~~A township trustee~~ **An administrator** may
 17 not furnish a nonresident of a township **or (after December 31, 2018)**
 18 **a county, in the case of a county not having a consolidated city**, with
 19 transportation at the cost of the township **or (after December 31,**
 20 **2018) of the county, in the case of a county not having a**
 21 **consolidated city**, until the ~~township trustee~~, as administrator of
 22 ~~township assistance~~, determines the legal residence of the individual
 23 applying for assistance.

24 (b) Transportation provided to a nonresident of a township **or (after**
 25 **December 31, 2018) of the county, in the case of a county not**
 26 **having a consolidated city**, must be in the direction of the
 27 nonresident's legal residence unless it is shown that the individual in
 28 need has a valid claim for support or a means of support in some other
 29 place to which the individual asks to be sent.

30 SECTION 121. IC 12-20-16-12, AS AMENDED BY P.L.73-2005,
 31 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2015]: Sec. 12. (a) This section does not apply if the county
 33 coroner assumes jurisdiction of an unclaimed body under
 34 IC 36-2-14-16.

35 (b) If:

36 (1) an individual dies in a township **or (after December 31,**
 37 **2018) in the county, in the case of a county not having a**
 38 **consolidated city**, without leaving:

- 39 (A) money;
 40 (B) real or personal property;
 41 (C) other assets that may be liquidated; or
 42 (D) other means necessary to defray funeral expenses; and



1 (2) the individual is not a resident of another township or **(after**
 2 **December 31, 2018) another county** in Indiana;
 3 the ~~township trustee~~, as administrator of ~~township assistance~~, shall
 4 provide a person to superintend and authorize either the funeral and
 5 burial or cremation of the deceased individual. If the ~~township trustee~~
 6 **administrator** determines that the deceased individual is a resident of
 7 another township or **(after December 31, 2018) another county** in
 8 Indiana, the ~~township trustee administrator~~ shall notify the ~~trustee~~
 9 **administrator** of that township or **(after December 31, 2018) that**
 10 **county**, who shall then provide a person to superintend and authorize
 11 either the funeral and burial or cremation of the deceased individual.

12 (c) The necessary and reasonable expenses of the funeral and burial
 13 or cremation, including a burial plot, shall be paid in the same manner
 14 as other claims for ~~township local~~ assistance. ~~A trustee An~~
 15 **administrator** shall determine the cost for the items and services
 16 required by law for the funeral and burial of an individual, including a
 17 burial plot, and for the cremation of an individual, and include in the
 18 township's ~~township local~~ assistance standards the maximum funeral
 19 and burial or cremation amount to be paid from ~~township local~~
 20 assistance funds. The ~~trustee administrator~~ may deduct from the
 21 maximum amount the following:

- 22 (1) Any monetary benefits that the deceased individual is entitled
 23 to receive from a state or federal program.
 24 (2) Any money that another person provides on behalf of the
 25 deceased individual.

26 (d) If an individual described in subsection (b) is a resident of a
 27 state institution at the time of the individual's death, the division that
 28 has administrative control of the state institution shall reimburse the
 29 ~~township trustee administrator~~ for the necessary and reasonable
 30 expenses of the funeral and burial or cremation of the deceased
 31 individual. The ~~township trustee administrator~~ shall submit to the
 32 division that has administrative control of the state institution an
 33 itemized claim for reimbursement of the necessary and reasonable
 34 funeral and burial or cremation expenses incurred by the ~~township~~
 35 ~~trustee administrator~~.

36 (e) If an individual described in subsection (b) is a resident of a
 37 special institution governed by IC 16-33 at the time of the individual's
 38 death, the state department of health shall reimburse the ~~township~~
 39 ~~trustee administrator~~ for the necessary and reasonable expenses of the
 40 funeral and burial or cremation of the deceased individual. The
 41 ~~township trustee administrator~~ shall submit to the state department of
 42 health an itemized claim for reimbursement of the necessary and



1 reasonable funeral and burial or cremation expenses incurred by the
2 ~~township trustee~~; **administrator**.

3 (f) ~~A township trustee~~ **An administrator** who provides funeral and
4 burial or cremation benefits to a deceased individual is entitled to a
5 first priority claim, to the extent of the cost of the funeral and burial or
6 cremation benefits paid by the ~~township trustee~~; **administrator** against
7 any money or other personal property held by the coroner under
8 IC 36-2-14-11.

9 (g) The ~~township trustee~~ **administrator** may not cremate a deceased
10 individual if:

11 (1) the deceased individual; or

12 (2) a surviving family member of the deceased individual;
13 has objected in writing to cremation.

14 (h) If a ~~township trustee~~ **an administrator** provides a funeral under
15 this section, the cost of the funeral may not be more than the cost of the
16 least expensive funeral, including any necessary merchandise and
17 embalming, available from the funeral director under the funeral
18 director's price list disclosed to the Federal Trade Commission.

19 SECTION 122. IC 12-20-16-13, AS AMENDED BY P.L.73-2005,
20 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 13. (a) The ~~township trustee~~, as administrator of
22 ~~township assistance~~, may process at the expense of the township **or**
23 **(after December 31, 2018) the county, in the case of a county not**
24 **having a consolidated city**, materials provided by charitable or
25 governmental agencies to provide any item of ~~township local~~ assistance
26 if the expense of the processing is less than the cost of the finished
27 product.

28 (b) The ~~township trustee~~, as administrator of ~~township assistance~~,
29 may buy materials and supplies of any item of relief and may process
30 the materials for ~~township local~~ assistance purposes.

31 (c) The ~~township trustee~~, as administrator of ~~township assistance~~,
32 may buy garden seeds and plant and maintain gardens for ~~township~~
33 **local** assistance purposes.

34 SECTION 123. IC 12-20-16-14 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. The ~~township~~
36 **trustee administrator** is authorized to provide insulin to individuals
37 who are in need of insulin treatment and who are financially unable to
38 purchase the insulin, upon application of a physician licensed under
39 IC 25-22.5 or an advanced practice nurse who is licensed under
40 IC 25-23 and who meets the requirements of IC 25-23-1-11 and
41 IC 25-23-1-19.5. However, an application submitted by a physician or
42 an advanced practice nurse under this section must meet the



1 requirements of IC 16-41-19-4.

2 SECTION 124. IC 12-20-16-15 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 15. The ~~township~~
4 **trustee administrator** may place indigent individuals in the county
5 home in accordance with IC 12-30-4.

6 SECTION 125. IC 12-20-16-17, AS AMENDED BY P.L.73-2005,
7 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2015]: Sec. 17. (a) ~~A township trustee~~ **An administrator** may
9 employ the services of a housing inspector to inspect all housing units,
10 including:

- 11 (1) mobile homes;
- 12 (2) group homes;
- 13 (3) single household units;
- 14 (4) multiple household units;
- 15 (5) apartments; or
- 16 (6) any other dwelling;

17 inhabited by a ~~township local~~ assistance recipient.

18 (b) ~~A township trustee~~ **An administrator** may contract with a local
19 housing authority:

- 20 (1) for housing inspection services; and
- 21 (2) to train a township housing inspector **or (after December 31,**
22 **2018) county housing inspector, in the case of a county not**
23 **having a consolidated city.**

24 Costs of these contractual services shall be paid from the township
25 assistance fund.

26 (c) **A township or (after December 31, 2018) in the county, in the**
27 **case of a county not having a consolidated city, county** housing
28 inspector shall use the following for determining a housing structure's
29 suitability for habitation:

- 30 (1) Standards recommended by the United States Department of
31 Housing and Urban Development as used by local housing
32 authorities.
- 33 (2) Local building codes and municipal ordinances.

34 (d) Substandard housing that does not meet minimum standards of
35 health, safety, and construction is not eligible for:

- 36 (1) the maximum level of shelter payments; or
- 37 (2) damage or security deposits paid from or encumbered by
38 township funds.

39 (e) If the ~~trustee administrator~~ determines that a housing unit for
40 which payment is requested is substantially below minimum standards
41 of health, safety, or construction, the ~~trustee;~~ **administrator**, when
42 necessary, shall assist the applicant in obtaining appropriate alternate



- 1 shelter.
- 2 (f) ~~A township trustee~~ **An administrator** is not required to spend
- 3 ~~township local~~ assistance funds for a shelter damage or security deposit
- 4 for an eligible ~~township local~~ assistance applicant or household.
- 5 However, the ~~trustee administrator~~ may encumber money for a shelter
- 6 damage or security deposit by making an agreement with a property
- 7 owner who furnishes shelter for a ~~township local~~ assistance recipient
- 8 or household. The agreement must include the following:
- 9 (1) The agreement's duration, not to exceed one hundred eighty
- 10 (180) days.
- 11 (2) A statement that the agreement may be renewed if both parties
- 12 agree.
- 13 (3) The total value of the encumbered money, not to exceed the
- 14 value of one (1) month's rental payment.
- 15 (4) A statement signed by both the ~~trustee administrator~~ and the
- 16 property owner attesting to the condition of the property at the
- 17 time the agreement is made.
- 18 (5) A statement that encumbered money may be used to pay the
- 19 cost of:
- 20 (A) verified damages, normal wear excluded, caused by the
- 21 tenant ~~township local~~ assistance recipient during the duration
- 22 of the agreement; and
- 23 (B) any unpaid rental payments for which the tenant ~~township~~
- 24 **local** assistance recipient is obligated.
- 25 (6) A statement that the total amount to be paid from the
- 26 encumbered money may not exceed one (1) month's rental
- 27 payment for the unit in question.
- 28 (g) ~~A trustee~~ **An administrator** is not required to provide shelter
- 29 assistance to an otherwise eligible individual if the:
- 30 (1) individual's most recent residence was provided by the
- 31 individual's parent, guardian, or foster parent; and
- 32 (2) individual, without just cause, leaves that residence for the
- 33 shelter for which the individual seeks assistance.
- 34 SECTION 126. IC 12-20-17-1, AS AMENDED BY P.L.73-2005,
- 35 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2015]: Sec. 1. If a ~~township trustee~~ **an administrator**
- 37 determines by investigation that a ~~township local~~ assistance applicant
- 38 or a ~~township local~~ assistance applicant's household requires
- 39 assistance, the ~~township trustee~~ **administrator** shall, after determining
- 40 that an emergency exists, furnish to the applicant or household the
- 41 temporary aid necessary for the relief of immediate suffering. However,
- 42 before any further final or permanent relief is given, the ~~township~~



1 trustee administrator shall consider whether the applicant's or
 2 household's need can be relieved by means other than an expenditure
 3 of township money **or (after December 31, 2018) county money, in**
 4 **the case of a county not having a consolidated city.**

5 SECTION 127. IC 12-20-17-2, AS AMENDED BY P.L.73-2005,
 6 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 2. (a) As used in this section, "shelter" means a
 8 facility that provides temporary emergency assistance.

9 (b) ~~A township trustee~~ **An administrator** may establish, purchase,
 10 acquire, maintain, or operate a shelter for eligible ~~township local~~
 11 assistance households needing temporary housing assistance.

12 (c) **After December 31, 2018, this subsection applies only to a**
 13 **county having a consolidated city.** A township having a population
 14 of less than eight thousand (8,000) may not expend more than ten
 15 thousand dollars (\$10,000) to implement this section without the
 16 approval of the county executive.

17 (d) **After December 31, 2018, this subsection applies only to a**
 18 **county having a consolidated city.** A township having a population
 19 of at least eight thousand (8,000) may not expend more than one
 20 hundred thousand dollars (\$100,000) to implement this section without
 21 the approval of the county executive.

22 (e) In counties where the implementation of this section can be more
 23 efficiently and expeditiously handled in units larger than a single
 24 township, **or (after December 31, 2018) a single county, in the case**
 25 **of a county not having a consolidated city, a township trustee an**
 26 **administrator** may combine resources with other townships within a
 27 county **or (after December 31, 2018) other counties, in the case of**
 28 **a county not having a consolidated city, to:**

- 29 (1) establish one (1) or more household shelter units; and
- 30 (2) pay a pro rata share of all administrative and other costs
 31 incidental to the maintenance and operation of each shelter unit
 32 established in subdivision (1).

33 IC 36-1-7-1 through IC 36-1-7-4 apply to a township electing to
 34 combine its resources with other townships under this subsection.

35 (f) ~~A township trustee~~ **An administrator** is not required to provide
 36 shelter to an individual who at the time assistance is requested is:

- 37 (1) under the influence of drugs or alcohol; or
- 38 (2) incapable of self-care.

39 The ~~township trustee~~ **administrator** may at no cost to the township **or**
 40 **(after December 31, 2018) the county, in a county not having a**
 41 **consolidated city, refer an individual described in this subsection to an**
 42 appropriate agency or facility located in the county or in an adjoining



1 county that has a program or charter specifically addressing the
2 problems of substance abuse, mental illness, or self-care.

3 (g) ~~A township trustee~~ **An administrator** may contract with a
4 private agency offering a shelter program in order to comply with this
5 section if the applicant or the applicant's household is not mandated by
6 the private agency to participate, as a condition of eligibility, in
7 religious services.

8 (h) ~~A township trustee~~ **An administrator** is not obligated to:

9 (1) enter into a contract with; or

10 (2) pay shelter costs to;

11 a shelter that is supported by federal or state funds.

12 SECTION 128. IC 12-20-17-3, AS AMENDED BY P.L.73-2005,
13 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 3. Upon complaint that an individual within the
15 township **or (after December 31, 2018) the county, in a county not**
16 **having a consolidated city**, is:

17 (1) sick;

18 (2) in need;

19 (3) without necessary financial resources; and

20 (4) likely to suffer;

21 the ~~township trustee~~, as administrator of ~~township assistance~~, shall
22 investigate and grant the temporary relief required.

23 SECTION 129. IC 12-20-17-4, AS AMENDED BY P.L.73-2005,
24 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2015]: Sec. 4. If an individual who is determined to be eligible
26 for ~~township local~~ assistance and entitled to temporary relief is in a
27 township **or (after December 31, 2018) the county, in the case of a**
28 **county not having a consolidated city**, in which the individual does
29 not have legal residence, the ~~township trustee~~, as administrator of
30 ~~township assistance~~, may, if the ~~trustee~~ **administrator** considers
31 advisable, place the individual temporarily in the county home, if any,
32 where the individual, if capable, is to be employed.

33 SECTION 130. IC 12-20-18-1, AS AMENDED BY P.L.73-2005,
34 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2015]: Sec. 1. (a) ~~A township trustee~~, as **An administrator of**
36 ~~township assistance~~, may cooperate with the state and federal
37 government in the furnishing of ~~township local~~ assistance so that the
38 ~~township local~~ assistance is furnished adequately and economically.

39 (b) ~~A township trustee~~, as **An administrator of township assistance**,
40 shall provide facilities for relief headquarters and storage and
41 transportation of commodities for ~~township local~~ assistance purposes
42 as are demanded, but such cooperation shall be confined to that



1 reasonably required under the purposes of this article.

2 SECTION 131. IC 12-20-18-2, AS AMENDED BY P.L.73-2005,
3 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 2. (a) ~~The township trustee, as administrator of~~
5 ~~township assistance,~~ may participate in surplus agricultural
6 commodities distributions provided by the United States Department
7 of Agriculture to the state.

8 ~~(b) A township trustee, as An administrator: of township assistance:~~

9 (1) may establish the ~~trustee's administrator's~~ own distribution
10 plan; or

11 (2) shall participate jointly with at least one (1) other ~~township~~
12 ~~trustee who serves as administrator. of township assistance.~~

13 SECTION 132. IC 12-20-19-1, AS AMENDED BY P.L.73-2005,
14 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 1. (a) ~~A township trustee, as An~~ administrator of
16 ~~township assistance,~~ may participate in and cooperate with the
17 establishment and use of federal surplus commodities food, cotton, or
18 other stamp plans created by a governmental agency of the United
19 States in the purchase of food, clothing, or other ~~township local~~
20 assistance supplies.

21 (b) If a ~~township trustee's an administrator's~~ cooperation and
22 participation in federal surplus commodities or stamp programs can be
23 more efficiently and expeditiously handled in a larger unit than a single
24 township, **or after December 31, 2018, a single county,** a group of
25 ~~township trustees, as administrators of township assistance,~~ may do the
26 following:

27 (1) Establish a single stamp issuing agency.

28 (2) Appoint and designate an issuing agent to issue stamps to
29 recipients entitled to participate in the programs.

30 (3) Pay each township's **or county's** pro rata share of all
31 administrative and other costs incident to the maintenance and
32 operation of the issuing office.

33 SECTION 133. IC 12-20-19-2, AS AMENDED BY P.L.73-2005,
34 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2015]: Sec. 2. To establish a revolving fund necessary for a
36 ~~township trustee's an administrator's~~ participation or administration,
37 ~~the township trustees, as administrators of township assistance,~~ may
38 make claims in the same manner as other ~~township local~~ assistance
39 claims are paid by the township **or (after December 31, 2018) the**
40 **county, in the case of a county not having a consolidated city.**

41 SECTION 134. IC 12-20-19-3, AS AMENDED BY P.L.73-2005,
42 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 3. (a) The issuing officer employed by a ~~township~~
 2 ~~trustee~~ **an administrator** must take an oath for the faithful
 3 performance of the duties of the issuing officer's office.

4 (b) The issuing officer must furnish a bond:

5 (1) payable to the state; and

6 (2) conditioned upon the faithful performance of the issuing
 7 officer's duties and accurate accounting of all money in the
 8 issuing officer's possession.

9 (c) The bond required by subsection (b) must be in a penal sum of
 10 not less than the total amount of the revolving money coming into the
 11 issuing officer's possession from all ~~trustees~~ **administrators**.

12 (d) The cost of the bond required by subsection (b) shall be paid by
 13 county warrant and charged by the county auditor pro rata against the
 14 ~~township local~~ assistance accounts of the townships **or (after**
 15 **December 31, 2018) the county, in the case of a county not having**
 16 **a consolidated city**, participating in the establishment of the revolving
 17 or other fund for the purposes set forth in this chapter.

18 SECTION 135. IC 12-20-19-4, AS AMENDED BY P.L.73-2005,
 19 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2015]: Sec. 4. (a) The ~~trustees~~ **administrators** participating
 21 in or cooperating with programs under this chapter may issue to
 22 eligible recipients orders or stamps for food, clothing, or other items
 23 covered under the federal plan.

24 (b) An order issued under this section must set forth the quantities
 25 and prices of each item ordered and the total amount of the order or
 26 stamps.

27 (c) A recipient who receives an order or stamps under this section
 28 may present the order or stamps to the issuing officer and is entitled to
 29 have issued to the recipient food, cotton, or other vouchers for use in
 30 the purchase of ~~township local~~ assistance supplies.

31 SECTION 136. IC 12-20-20-1, AS AMENDED BY P.L.73-2005,
 32 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 1. (a) **After December 31, 2018, this subsection**
 34 **applies only to a county having a consolidated city**. If a ~~township~~
 35 ~~trustee~~, as an administrator of ~~township~~ assistance, grants ~~township~~
 36 ~~local~~ assistance to an indigent individual or to any other person or
 37 agency on a ~~township local~~ assistance order as provided by law or
 38 obligates the township for an item properly payable from ~~township~~
 39 ~~local~~ assistance money, the claim against the township must be:

40 (1) itemized and sworn to as provided by law;

41 (2) accompanied by the original ~~township local~~ assistance order,
 42 which must be itemized and signed; and



1 (3) checked with the records of the ~~township trustee~~, as
 2 administrator of ~~township assistance~~, and audited and certified by
 3 the ~~township trustee~~. **administrator.**

4 **(b) After December 31, 2018, this subsection applies only to a**
 5 **county having a consolidated city.** The ~~township trustee~~
 6 **administrator** shall pay claims against the township for ~~township local~~
 7 assistance in the same manner that other claims against the township
 8 are paid. The ~~township trustee~~, **administrator**, when authorized to pay
 9 claims directly to vendors, shall pay a claim within forty-five (45) days.
 10 The ~~township trustee~~ **administrator** shall pay the claim from:

11 (1) any balance standing to the credit of the township against
 12 which the claim is filed; or

13 (2) from any other available fund from which advancements can
 14 be made to the township for that purpose.

15 **(c) This subsection applies after December 31, 2018. This**
 16 **subsection applies only to a county not having a consolidated city.**
 17 **A county shall pay claims against the county for local assistance in**
 18 **the same manner that other claims against the county are paid.**
 19 **Notwithstanding IC 5-11-10, the county auditor may make**
 20 **payments for claims payable from the county local assistance fund**
 21 **established by IC 12-20-21-6 in advance of an allowance by the**
 22 **county executive. Each payment of expenses under this section**
 23 **must be supported by a fully itemized invoice or bill and**
 24 **certification by the county auditor. The county executive shall**
 25 **review and allow the claim at its next regular or special meeting**
 26 **following the preapproved payment of the expense. The**
 27 **administrator, when authorized to pay claims directly to vendors,**
 28 **shall pay a claim within forty-five (45) days.**

29 SECTION 137. IC 12-20-20-2, AS AMENDED BY P.L.73-2005,
 30 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 2. (a) If money is not available for the payment of
 32 ~~township local~~ assistance claims under section 1 of this chapter, the
 33 township board shall appeal to borrow money under IC 12-20-24.

34 (b) This subsection does not apply to a county having a consolidated
 35 city. If the township board does not appeal to borrow money under
 36 IC 12-20-24 or if an appeal fails, the board of commissioners may
 37 borrow money or otherwise provide the money. If the county
 38 commissioners determine to borrow the money or otherwise provide
 39 the money, the county fiscal body shall promptly pass necessary
 40 ordinances and make the necessary appropriations to enable this to be
 41 done, after determining whether to borrow money by any of the
 42 following:



1 (1) A temporary loan against taxes levied and in the process of
2 collection.

3 (2) The sale of county **township local** assistance bonds or other
4 county obligations.

5 (3) Any other lawful method of obtaining money for the payment
6 of **township local** assistance claims.

7 **This subsection expires January 1, 2019.**

8 (c) This subsection applies only to a county having a consolidated
9 city. If a township board does not appeal to borrow money under
10 IC 12-20-24 or if an appeal fails, the board of commissioners shall
11 borrow money or otherwise provide the money. The county fiscal body
12 shall promptly pass necessary ordinances and make the necessary
13 appropriations to enable this to be done, after determining whether to
14 borrow money by any of the following methods:

15 (1) A temporary loan against taxes levied and in the process of
16 collection.

17 (2) The sale of county **township local** assistance bonds or other
18 county obligations.

19 (3) Any other lawful method of obtaining money for the payment
20 of **township local** assistance claims.

21 **(d) After December 31, 2018, this section applies only to a**
22 **county having a consolidated city.**

23 SECTION 138. IC 12-20-20-4, AS AMENDED BY P.L.73-2005,
24 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2015]: Sec. 4. The state board of accounts shall prescribe the
26 forms for the purchase of and payment for **township local** assistance
27 items.

28 SECTION 139. IC 12-20-21-2, AS AMENDED BY P.L.169-2006,
29 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2015]: Sec. 2. **Township assistance Local** money raised by
31 **townships a township or (after December 31, 2018) a county, in the**
32 **case of a county not having a consolidated city,** may not be
33 commingled.

34 SECTION 140. IC 12-20-21-3, AS AMENDED BY P.L.234-2013,
35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 3. (a) Except as provided in section 3.2 of this
37 chapter, a township trustee and township board may levy a specific tax
38 for the purpose of providing money for the payment of **township local**
39 assistance expenses in the following year. The tax may be sufficient to
40 meet the entire requirement of the township in the following year or the
41 part that is determined to be proper.

42 (b) Except as provided in section 3.2 of this chapter, if a tax levy is



1 established under subsection (a), all proceeds derived from the tax levy
 2 shall be distributed to the township at the same time and in the same
 3 manner as proceeds from other property tax levies are distributed to the
 4 township. The proceeds of the tax levy shall be held by the township in
 5 its **township local** assistance account free and available for the payment
 6 of **township local** assistance obligations of the township. The funds are
 7 continuing funds and do not revert to any other fund at the end of the
 8 year.

9 **(c) After December 31, 2018, this section applies only to a**
 10 **county that has consolidated city.**

11 SECTION 141. IC 12-20-21-3.2, AS ADDED BY P.L.234-2013,
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 3.2. (a) This section applies only to a township if
 14 the township's **township local** assistance property tax rate (as defined
 15 in IC 6-1.1-20.3-6.7(a)) for property taxes first due and payable in 2013
 16 or any year thereafter is more than the result of:

17 (1) the statewide average **township local** assistance property tax
 18 rate (as determined by the department of local government
 19 finance) for property taxes first due and payable in that same year;
 20 multiplied by

21 (2) twelve (12).

22 (b) Notwithstanding any other law, beginning with property taxes
 23 first due and payable in the year following the year in which this
 24 section first applies to the township, as provided in subsection (a), the
 25 department of local government finance shall do the following in the
 26 case of a township subject to this section:

27 (1) Remove the **township local** assistance property tax levy from
 28 the maximum permissible ad valorem property tax levy for the
 29 township's general fund.

30 (2) Require the township to separate its **township local** assistance
 31 property tax levy into the following two (2) property tax levies:

32 (A) A **township local** assistance benefits property tax levy.

33 (B) A **township local** assistance administration property tax
 34 levy.

35 (3) Calculate a separate maximum permissible ad valorem
 36 property tax levy under IC 6-1.1-18.5 for each of the township's
 37 property tax levies described in subdivision (2).

38 (c) The department of local government finance shall, for property
 39 taxes first due and payable in the year following the year in which this
 40 section first applies to the township, as provided in subsection (a),
 41 determine the initial maximum permissible ad valorem property tax
 42 levy under IC 6-1.1-18.5 for a township's **township local** assistance



1 administration property tax levy.

2 (d) The initial maximum permissible ad valorem property tax levy
3 under IC 6-1.1-18.5 for a township's **township local** assistance benefits
4 property tax levy for property taxes first due and payable in the year
5 following the year in which this section first applies to the township, as
6 provided in subsection (a), is equal to the amount determined in the
7 following STEPS:

8 STEP ONE: Determine the result of:

9 (A) the township's **township local** assistance property tax levy
10 for property taxes first due and payable in the year in which
11 this section first applies to the township, as provided in
12 subsection (a); minus

13 (B) the result determined by the department of local
14 government finance for the township under subsection (c).

15 STEP TWO: Multiply the STEP ONE result by the assessed value
16 growth quotient under IC 6-1.1-18.5-2 that is applicable to the
17 township for property taxes first due and payable in the year
18 following the year in which this section first applies to the
19 township, as provided in subsection (a).

20 (e) The maximum permissible ad valorem property tax levy for the
21 township's general fund shall be adjusted as determined in the
22 following STEPS:

23 STEP ONE: Multiply:

24 (A) the township's **township local** assistance property tax levy
25 for property taxes first due and payable in the year in which
26 this section first applies to the township, as provided in
27 subsection (a); by

28 (B) the assessed value growth quotient under IC 6-1.1-18.5-2
29 that is applicable to the township for property taxes first due
30 and payable in the year following the year in which this
31 section first applies to the township, as provided in subsection
32 (a).

33 STEP TWO: Subtract the STEP ONE result from the maximum
34 permissible ad valorem property tax levy that would otherwise
35 apply for the township's general fund.

36 The adjustment under this subsection applies beginning with property
37 taxes first due and payable in the year following the year in which this
38 section first applies to the township, as provided in subsection (a).

39 (f) The property taxes collected from a township's **township local**
40 assistance administration property tax levy:

41 (1) shall be deposited into a separate fund;

42 (2) shall be used only for the administration of **township local**



1 assistance within the township; and

2 (3) shall not be used to pay ~~township~~ **local** assistance to any
3 person.

4 (g) The property taxes collected from a township's ~~township~~ **local**
5 assistance benefits property tax levy:

6 (1) shall be deposited into a separate fund;

7 (2) shall be used only for the purpose of paying ~~township~~ **local**
8 assistance to eligible recipients; and

9 (3) shall not be used to pay for the administration of ~~township~~
10 **local** assistance within the township.

11 (h) Except as provided in this section, references in the Indiana
12 Code to a ~~township~~ **local** assistance property tax levy shall, in the case
13 of a township subject to this section, be considered a reference to the
14 township's ~~township~~ **local** assistance benefits property tax levy and the
15 township's ~~township~~ **local** assistance administration property tax levy.

16 **(i) This section expires January 1, 2019.**

17 SECTION 142. IC 12-20-21-6 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2015]: **Sec. 6. (a) This section does not apply**
20 **to a county having a consolidated city. On January 1, 2019, a local**
21 **assistance fund is established in each county.**

22 **(b) The fund shall be raised by a tax levy that:**

23 **(1) is in addition to all other tax levies authorized; and**

24 **(2) subject to IC 6-1.1-18.5-22, shall be levied annually for**
25 **property taxes first due and payable in 2019 and thereafter by**
26 **the county fiscal body on all taxable property in the county in**
27 **the amount necessary to pay the items, awards, claims,**
28 **allowances, assistance, and other expenses set forth in the**
29 **annual county local assistance budget.**

30 **(c) The tax imposed under this section shall be collected as other**
31 **state and county ad valorem taxes are collected.**

32 **(d) The following shall be paid into the fund:**

33 **(1) All receipts from the tax imposed under this section.**

34 **(2) Any other money required by law to be placed in the fund.**

35 **(e) The fund is available to pay local assistance expenses and**
36 **obligations set forth in the annual budget.**

37 **(f) Money in the fund at the end of a budget year does not revert**
38 **to the county general fund.**

39 **(g) The department of local government finance shall, for**
40 **property taxes first due and payable after December 31, 2018,**
41 **adjust the maximum permissible ad valorem property tax levy of**
42 **the county as necessary and proper to account for the transfer of**



1 **local assistance budgeting and property tax levies from townships**
 2 **to counties after December 31, 2018.**

3 SECTION 143. IC 12-20-22-1, AS AMENDED BY P.L.73-2005,
 4 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 1. (a) ~~A township trustee may not, acting as An~~
 6 ~~administrator of township assistance, may not~~ disburse any money or
 7 incur any obligation in the furnishing of ~~township local~~ assistance in
 8 excess of the amount appropriated for that purpose.

9 (b) Appropriations for ~~township local~~ assistance purposes must be
 10 made in the manner provided by law for appropriations for other
 11 township purposes **or (after December 31, 2018) county purposes,**
 12 **in the case of a county not having a consolidated city.**

13 (c) When preparing the annual budget for a township, the township
 14 trustee and the township board shall set out in the budget the amount
 15 of expenditures estimated to be reasonably required for current
 16 ~~township local~~ assistance in the following calendar year. If the amount
 17 provided for ~~township local~~ assistance in the annual budget **of the**
 18 **township or (after December 31, 2018) county, in the case of a**
 19 **county not having a consolidated city,** as finally adopted and
 20 approved is insufficient to meet the requirements for that purpose,
 21 additional appropriations may be made in the manner provided by law
 22 for the making of additional appropriations by ~~townships a township~~
 23 **or (after December 31, 2018) county, in the case of a county not**
 24 **having a consolidated city,** for other purposes.

25 SECTION 144. IC 12-20-22-2, AS AMENDED BY P.L.73-2005,
 26 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 2. (a) Copies of all ~~township~~ budgets for current
 28 ~~township local~~ assistance shall, as finally adopted and approved, be
 29 placed on file in the office of the county auditor. If an additional
 30 appropriation for current ~~township local~~ assistance is made: ~~by a~~
 31 ~~township:~~

32 (1) a certified copy of the action of the township board **or (after**
 33 **December 31, 2018) county council, in the case of a county not**
 34 **having a consolidated city,** in making the additional
 35 appropriation; and

36 (2) a certified copy of the order of the department approving the
 37 additional appropriation;

38 shall be filed in the office of the county auditor.

39 (b) ~~A township trustee~~ **An administrator** may not pay any ~~township~~
 40 **local** assistance order or claim in excess of the amount appropriated for
 41 current ~~township local~~ assistance purposes, except as otherwise
 42 provided by law.



1 SECTION 145. IC 12-20-22-3, AS AMENDED BY P.L.73-2005,
 2 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 3. The state board of accounts shall adopt uniform
 4 forms and necessary rules under this chapter to make the method of
 5 budgeting and appropriating ~~township local~~ assistance money uniform
 6 in all townships **and (after December 31, 2018) all counties that do**
 7 **not have a consolidated city.**

8 SECTION 146. IC 12-20-24-0.5 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. After December 31, 2018, this**
 10 **chapter applies only to a county having a consolidated city.**

11 SECTION 147. IC 12-20-24-1, AS AMENDED BY P.L.169-2006,
 12 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 1. (a) In addition to the other methods of ~~township~~
 14 ~~local~~ assistance financing provided by this article, if a ~~township trustee~~
 15 **an administrator** for a township determines that a particular
 16 township's ~~township local~~ assistance account will be exhausted before
 17 the end of a fiscal year, the ~~township trustee~~ **administrator** shall notify
 18 the township board of that determination.

19 (b) After receiving notice under subsection (a) that a township's
 20 ~~township local~~ assistance account will be exhausted before the end of
 21 a fiscal year, the township board shall appeal to the department of local
 22 government finance for the right to borrow money on a short term basis
 23 to fund ~~township local~~ assistance services in the township. In the
 24 appeal the township board must do the following:

- 25 (1) Show that the amount of money contained in the ~~township~~
 26 ~~local~~ assistance account will not be sufficient to fund services
 27 required to be provided within the township by this article.
- 28 (2) Show the amount of money that the board estimates will be
 29 needed to fund the deficit.
- 30 (3) Indicate a period, not to exceed five (5) years, during which
 31 the township would repay the loan.

32 SECTION 148. IC 12-20-24-5, AS AMENDED BY P.L.169-2006,
 33 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 5. (a) If upon appeal under section 1 of this
 35 chapter the department determines that a township board should be
 36 allowed to borrow money under this chapter, the department shall order
 37 the ~~township trustee~~ **administrator** to borrow the money from a
 38 financial institution on behalf of the township board and to deposit the
 39 money borrowed in the township's ~~township local~~ assistance account.

40 (b) If upon appeal under section 1 of this chapter the department
 41 determines that the township board should not be allowed to borrow
 42



1 money, the board may not do so for that year.

2 SECTION 149. IC 12-20-24-7, AS AMENDED BY P.L.169-2006,
3 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 7. A board of commissioners or a county council
5 (for a loan approved by the board of commissioners or county council
6 before July 1, 2006) or the department may not do any of the following:

7 (1) Approve a request to borrow money made under IC 12-2-4.5
8 (before its repeal) or this chapter unless the body determines that
9 the township's ~~township~~ **local** assistance account will be
10 exhausted before the account can fund all township obligations
11 incurred under this article.

12 (2) Recommend or approve a loan that will exceed the estimated
13 amount of the deficit.

14 SECTION 150. IC 12-20-24.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2015]:

17 **Chapter 24.5. Local Assistance Borrowing for Counties Other**
18 **Than Marion County**

19 **Sec. 1. This chapter applies after December 31, 2018. This**
20 **chapter applies only to a county that does not have a consolidated**
21 **city.**

22 **Sec. 2. (a) In addition to the other methods of local assistance**
23 **financing provided by this article, if the administrator determines**
24 **that the county's local assistance fund will be exhausted before the**
25 **end of a fiscal year, the administrator shall notify the county fiscal**
26 **body of that determination.**

27 **(b) After receiving notice under subsection (a) that the county's**
28 **local assistance fund will be exhausted before the end of a fiscal**
29 **year, the county fiscal body may appeal to the department of local**
30 **government finance for the right to borrow money on a short term**
31 **basis to fund local assistance services in the county. In the appeal,**
32 **the county fiscal body must do the following:**

33 **(1) Show that the amount of money contained in the local**
34 **assistance fund will not be sufficient to fund services required**
35 **to be provided within the county by this article.**

36 **(2) Show the amount of money that the county fiscal body**
37 **estimates will be needed to fund the deficit.**

38 **(3) Indicate a period, not to exceed five (5) years, during**
39 **which the county would repay the loan.**

40 **Sec. 3. (a) If upon appeal under section 2 of this chapter the**
41 **department of local government finance determines that a county**
42 **fiscal body should be allowed to borrow money under this chapter,**



1 the department shall order the county executive to borrow the
 2 money from a financial institution on behalf of the county fiscal
 3 body and to deposit the money borrowed in the county's township
 4 assistance fund.

5 (b) If upon appeal under section 2 of this chapter, the
 6 department of local government finance determines that a county
 7 fiscal body should not be allowed to borrow money, the county
 8 fiscal body may not borrow money under this chapter for that
 9 year.

10 Sec. 4. If a loan is approved under this chapter, the department
 11 of local government finance shall determine the period during
 12 which the county shall repay the loan. However, the period may
 13 not exceed five (5) years.

14 Sec. 5. The department of local government finance may not do
 15 any of the following:

16 (1) Approve a request to borrow money made under this
 17 chapter unless the county fiscal body determines that the
 18 county's local assistance fund will be exhausted before the
 19 fund can fund all county obligations incurred under this
 20 article.

21 (2) Recommend or approve a loan that will exceed the
 22 estimated amount of the deficit.

23 Sec. 6. (a) If a county fiscal body:

24 (1) appeals before August 1 for permission to borrow money;

25 (2) receives permission from the department to borrow money
 26 before November 1 of that year; and

27 (3) borrows money under this chapter;

28 the county fiscal body shall levy a property tax beginning in the
 29 next succeeding year and continuing for the term of the loan in an
 30 amount each year that will be sufficient to pay the principal and
 31 interest due on the loan for the year.

32 (b) If the county fiscal body:

33 (1) appeals after August 1 for permission to borrow money;

34 (2) receives permission from the department of local
 35 government finance to borrow money; and

36 (3) borrows money in the year of the appeal under this
 37 chapter;

38 the county fiscal body shall levy a property tax beginning in the
 39 second succeeding year and continuing for the term of the loan in
 40 an amount each year that will be sufficient to pay the principal and
 41 interest due on the loan for the year.

42 (c) The property taxes levied under this section shall be retained



1 by the county executive and applied by the county executive to
2 retire the debt.

3 **Sec. 7. A county fiscal body must make an additional**
4 **appropriation before money borrowed under this chapter may be**
5 **spent.**

6 SECTION 151. IC 12-20-25 IS REPEALED [EFFECTIVE JULY 1,
7 2015]. (Township Assistance in Distressed Townships).

8 SECTION 152. IC 12-20-26-0.5 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. This chapter does not apply**
11 **after December 31, 2018, to a county not having a consolidated**
12 **city.**

13 SECTION 153. IC 12-20-27-1, AS AMENDED BY P.L.99-2007,
14 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 1. (a) Subject to IC 12-20-11-5(b), a ~~township~~
16 ~~trustee who, as an administrator of township assistance, who~~ furnishes
17 ~~township local~~ assistance may file a claim against the estate of a
18 ~~township local~~ assistance recipient who:

19 (1) dies, leaving an estate; and

20 (2) is not survived by:

21 (A) a spouse;

22 (B) an adult dependent with a disability; or

23 (C) a dependent child less than eighteen (18) years of age;

24 for the value of ~~township local~~ assistance given the recipient before the
25 recipient's death.

26 (b) For purposes of this section, the estate of a ~~township local~~
27 assistance recipient includes any money or other personal property in
28 the possession of a coroner under IC 36-2-14-11.

29 SECTION 154. IC 12-20-27-1.5, AS AMENDED BY P.L.73-2005,
30 SECTION 150, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2015]: Sec. 1.5. (a) As used in this section,
32 "interim period" means the period:

33 (1) beginning when a ~~township trustee~~ **an administrator** obtains
34 from a ~~township local~~ assistance applicant or member of the
35 applicant's household an agreement or authorization described in
36 subsection (b); and

37 (2) ending when the ~~township local~~ assistance applicant or
38 member of the applicant's household receives the judgment,
39 compensation, or monetary benefit or leaves the household.

40 (b) Subject to IC 12-20-11-5(b), if a ~~township trustee, as an~~
41 administrator of ~~township~~ assistance, anticipates that a ~~township local~~
42 assistance applicant or a member of the applicant's household is likely



1 to receive a judgment, compensation, or a monetary benefit from a
 2 third party, the ~~township trustee~~ **administrator** may require the
 3 applicant or the affected member of the applicant's household to:

- 4 (1) enter into a subrogation agreement; or
 5 (2) sign a Social Security Administration's reimbursement
 6 authorization;

7 for the repayment of any ~~township local~~ assistance benefits provided
 8 by the township **or (after December 31, 2018) the county, in the case**
 9 **of a county not having a consolidated city**, during the interim period.
 10 A subrogation agreement authorized under subdivision (1) may only
 11 require repayment of interim benefits provided to the applicant or to
 12 the applicant's dependents who were members of the household to
 13 which ~~township local~~ assistance benefits were paid.

14 SECTION 155. IC 12-20-27-2, AS AMENDED BY P.L.73-2005,
 15 SECTION 151, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2015]: Sec. 2. A claim filed against the estate
 17 of a ~~township local~~ assistance recipient under IC 12-2-14 (before its
 18 repeal) or this chapter shall be filed and allowed as a general claim.

19 SECTION 156. IC 12-20-28-3, AS AMENDED BY P.L.1-2009,
 20 SECTION 106, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2015]: Sec. 3. **(a) After December 31, 2018,**
 22 **this section applies only to a county having a consolidated city.**

23 ~~(a)~~ **(b)** The definitions in this section apply to a report that is
 24 required to be filed under this section.

25 ~~(b)~~ **(c)** As used in this section, "case contact" means any act of
 26 service in which a township employee has reason to enter a comment
 27 or narrative into the record of an application for ~~township local~~
 28 assistance under this article regardless of whether the applicant
 29 receives or does not receive ~~township local~~ assistance funds.

30 ~~(c)~~ **(d)** As used in this section, "total number of households
 31 containing ~~township local~~ assistance recipients" means the sum to be
 32 determined by counting the total number of individuals who file an
 33 application for which assistance is granted. A household may be
 34 counted only once during a calendar year regardless of the number of
 35 times assistance is provided if the same individual makes the
 36 application for assistance.

37 ~~(d)~~ **(e)** As used in this section, "total number of recipients" means
 38 the number of individuals who are members of a household that
 39 receives assistance on at least one (1) occasion during the calendar
 40 year. An individual may be counted only one (1) time during a calendar
 41 year regardless of the:

- 42 (1) number of times assistance is provided; or



- 1 (2) number of households in which the individual resides during
2 a particular year.
- 3 ~~(e)~~ (f) As used in this section, "total number of requests for
4 assistance" means the number of times an individual or a household
5 separately requests any type of **township local** assistance.
- 6 ~~(f)~~ (g) The ~~township trustee~~ **administrator** shall file an annual
7 statistical report on township housing, medical care, utility assistance,
8 food assistance, burial assistance, food pantry assistance, services
9 related to representative payee programs, services related to special
10 nontraditional programs, and case management services with the state
11 board of accounts. The ~~township trustee~~ **administrator** shall provide
12 a copy of the annual statistical report to the county auditor. The county
13 auditor shall keep the copy of the report in the county auditor's office.
14 Except as provided in subsection ~~(k)~~; (I), the report must be made on
15 a form provided by the state board of accounts. The report must contain
16 the following information:
- 17 (1) The total number of requests for assistance.
 - 18 (2) The total number of each of the following:
 - 19 (A) Recipients of **township local** assistance.
 - 20 (B) Households containing recipients of **township local**
21 assistance.
 - 22 (C) Case contacts made with or on behalf of:
 - 23 (i) recipients of **township local** assistance; or
 - 24 (ii) members of a household receiving **township local**
25 assistance.
 - 26 (3) The total value of benefits provided to recipients of **township**
27 **local** assistance.
 - 28 (4) The total value of benefits provided through the efforts of
29 township staff from sources other than township funds.
 - 30 (5) The total number of each of the following:
 - 31 (A) Recipients of **township local** assistance and households
32 receiving utility assistance.
 - 33 (B) Recipients assisted by township staff in receiving utility
34 assistance from sources other than township funds.
 - 35 (6) The total value of benefits provided for the payment of
36 utilities, including the value of benefits of utility assistance
37 provided through the efforts of township staff from sources other
38 than township funds.
 - 39 (7) The total number of each of the following:
 - 40 (A) Recipients of **township local** assistance and households
41 receiving housing assistance.
 - 42 (B) Recipients assisted by township staff in receiving housing



- 1 assistance from sources other than township funds.
- 2 (8) The total value of benefits provided for housing assistance,
3 including the value of benefits of housing assistance provided
4 through the efforts of township staff from sources other than
5 township funds.
- 6 (9) The total number of each of the following:
7 (A) Recipients of **township local** assistance and households
8 receiving food assistance.
9 (B) Recipients assisted by township staff in receiving food
10 assistance from sources other than township funds.
- 11 (10) The total value of food assistance provided, including the
12 value of food assistance provided through the efforts of township
13 staff from sources other than township funds.
- 14 (11) The total number of each of the following:
15 (A) Recipients of **township local** assistance and households
16 provided health care.
17 (B) Recipients assisted by township staff in receiving health
18 care assistance from sources other than township funds.
- 19 (12) The total value of health care provided, including the value
20 of health care assistance provided through the efforts of township
21 staff from sources other than township funds.
- 22 (13) The total number of funerals, burials, and cremations.
- 23 (14) The total value of funerals, burials, and cremations, including
24 the difference between the:
25 (A) actual value of the funerals, burials, and cremations; and
26 (B) amount paid by the township for the funerals, burials, and
27 cremations.
- 28 (15) The total of each of the following:
29 (A) Number of nights of emergency shelter provided to the
30 homeless.
31 (B) Number of nights of emergency shelter provided to
32 homeless individuals through the efforts of township staff from
33 sources other than township funds.
34 (C) Value of the nights of emergency shelter provided to
35 homeless individuals by the township and the value of the
36 nights of emergency shelter provided through the efforts of the
37 township staff from sources other than township funds.
- 38 (16) The total of each of the following:
39 (A) Number of referrals of **township local** assistance
40 applicants to other programs.
41 (B) Value of the services provided by the township in making
42 referrals to other programs.



- 1 (17) The total number of training programs or job placements
 2 found for recipients of ~~township~~ **local** assistance with the
 3 assistance of the ~~township trustee~~ **administrator**.
- 4 (18) The number of hours spent by recipients of ~~township~~ **local**
 5 assistance at workfare.
- 6 (19) The total value of the services provided by workfare to the
 7 township and other agencies.
- 8 (20) The total amount of reimbursement for assistance received
 9 from:
 10 (A) recipients;
 11 (B) members of recipients' households; or
 12 (C) recipients' estates;
 13 under IC 12-20-6-10, IC 12-20-27-1, or IC 12-20-27-1.5.
- 14 (21) The total amount of reimbursement for assistance received
 15 from medical programs under IC 12-20-16-2(e).
- 16 (22) The total of each of the following:
 17 (A) Number of individuals assisted through a representative
 18 payee program.
 19 (B) Amount of funds processed through the representative
 20 payee program that are not township funds.
- 21 (23) The total of each of the following:
 22 (A) Number of individuals assisted through special
 23 nontraditional programs provided through the township
 24 without the expenditure of township funds.
 25 (B) Amount of funds used to provide the special nontraditional
 26 programs that are not township funds.
- 27 (24) The total of each of the following:
 28 (A) Number of hours an investigator of ~~township~~ **local**
 29 assistance spends providing case management services to a
 30 recipient of ~~township~~ **local** assistance or a member of a
 31 household receiving ~~township~~ **local** assistance.
 32 (B) Value of the case management services provided.
- 33 (25) The total number of housing inspections performed by the
 34 township.
- 35 If the total number or value of any item required to be reported under
 36 this subsection is zero (0), the ~~township trustee~~ **administrator** shall
 37 include the notation "0" in the report where the total number or value
 38 is required to be reported.
- 39 ~~(g)~~ **(h)** The state board of accounts shall compare and compile all
 40 data reported under subsection ~~(f)~~ **(g)** into a statewide statistical report.
 41 The department shall summarize the data compiled by the state board
 42 of accounts that relate to the fixing of township budgets, levies, and tax



1 rates and shall include the department's summary within the statewide
 2 statistical report prepared under this subsection. Before July 1 of each
 3 year, the state board of accounts shall file the statewide statistical
 4 report prepared under this subsection with the executive director of the
 5 legislative services agency in an electronic format under IC 5-14-6.

6 ~~(h)~~ **(i)** The state board of accounts shall forward a copy of:

7 (1) each annual report forwarded to the board under subsection

8 ~~(f)~~; **(g)**; and

9 (2) the statewide statistical report under subsection ~~(g)~~; **(h)**;
 10 to the department and the division of family resources.

11 ~~(i)~~ **(j)** The division of family resources shall include in the division's
 12 periodic reports made to the United States Department of Health and
 13 Human Services concerning the Temporary Assistance for Needy
 14 Families (TANF) and Supplemental Security Income (SSI) programs
 15 information forwarded to the division under subsection ~~(h)~~ **(i)**
 16 concerning the total number of recipients of ~~township local~~ assistance
 17 and the total dollar amount of benefits provided.

18 ~~(j)~~ **(k)** The department may not approve the budget of a ~~township~~
 19 ~~trustee~~ **an administrator** who fails to file an annual report under
 20 subsection ~~(f)~~ **(g)** in the preceding calendar year.

21 ~~(k)~~ **(l)** This section does not prevent the electronic transfer of data
 22 required to be reported under IC 12-2-1-40 (before its repeal) or this
 23 section if the following conditions are met:

24 (1) The method of reporting is acceptable to both the ~~township~~
 25 ~~trustee~~ **administrator** reporting the information and the
 26 governmental entity to which the information is reported.

27 (2) A written copy of information reported by electronic transfer
 28 is on file with the ~~township trustee~~ **administrator** reporting
 29 information by electronic means.

30 ~~(l)~~ **(m)** The information required to be reported by the ~~township~~
 31 ~~trustee~~ **administrator** under this section shall be maintained by the
 32 ~~township trustee~~ **administrator** in accordance with IC 5-15-6.

33 SECTION 157. IC 12-20-28-4 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2015]: **Sec. 4. (a) This section applies after**
 36 **December 31, 2018. This section applies only to a county that does**
 37 **not have a consolidated city.**

38 **(b) The definitions in section 3 of this chapter apply to a report**
 39 **that is required to be filed under this section.**

40 **(c) The county shall file with the state board of accounts an**
 41 **annual statistical report on county housing, medical care, utility**
 42 **assistance, food assistance, burial assistance, food pantry**



1 assistance, services related to representative payee programs,
 2 services related to special nontraditional programs, and case
 3 management services. The administrator shall provide a copy of
 4 the annual statistical report to the county auditor. The county
 5 auditor shall keep the copy of the report in the county auditor's
 6 office. Except as provided in subsection (h), the report must be
 7 made on a form provided by the state board of accounts. The
 8 report must contain the following information:

- 9 (1) The total number of requests for assistance.
 10 (2) The total number of each of the following:
 11 (A) Recipients of local assistance.
 12 (B) Households containing recipients of local assistance.
 13 (C) Case contacts made with or on behalf of:
 14 (i) recipients of local assistance; or
 15 (ii) members of a household receiving local assistance.
 16 (3) The total value of benefits provided to recipients of local
 17 assistance.
 18 (4) The total value of benefits provided through the efforts of
 19 the county from sources other than county funds.
 20 (5) The total number of each of the following:
 21 (A) Recipients of local assistance and households receiving
 22 utility assistance.
 23 (B) Recipients assisted by the staff of the administrator in
 24 receiving utility assistance from sources other than county
 25 funds.
 26 (6) The total value of benefits provided for the payment of
 27 utilities, including the value of benefits of utility assistance
 28 provided through the efforts of the county from sources other
 29 than county funds.
 30 (7) The total number of each of the following:
 31 (A) Recipients of local assistance and households receiving
 32 housing assistance.
 33 (B) Recipients assisted by the county in receiving housing
 34 assistance from sources other than county funds.
 35 (8) The total value of benefits provided for housing assistance,
 36 including the value of benefits of housing assistance provided
 37 through the efforts of the county, from sources other than
 38 county funds.
 39 (9) The total number of each of the following:
 40 (A) Recipients of local assistance and households receiving
 41 food assistance.
 42 (B) Recipients assisted by the county in receiving food



- 1 assistance from sources other than county funds.
- 2 (10) The total value of food assistance provided, including the
- 3 value of food assistance provided through the efforts of the
- 4 county from sources other than county funds.
- 5 (11) The total number of each of the following:
- 6 (A) Recipients of local assistance and households provided
- 7 health care.
- 8 (B) Recipients assisted by the county in receiving health
- 9 care assistance from sources other than county funds.
- 10 (12) The total value of health care provided, including the
- 11 value of health care assistance provided through the efforts of
- 12 the county from sources other than county funds.
- 13 (13) The total number of funerals, burials, and cremations.
- 14 (14) The total value of funerals, burials, and cremations,
- 15 including the difference between the actual value of the
- 16 funerals, burials, and cremations and the amount paid by the
- 17 county for the funerals, burials, and cremations.
- 18 (15) The total of each of the following:
- 19 (A) The number of nights of emergency shelter provided to
- 20 homeless individuals.
- 21 (B) The number of nights of emergency shelter provided to
- 22 homeless individuals through the efforts of the county from
- 23 sources other than county funds.
- 24 (C) The value of the nights of emergency shelter provided
- 25 to homeless individuals by the county and the value of the
- 26 nights of emergency shelter provided through the efforts
- 27 of the county from sources other than county funds.
- 28 (16) The total of each of the following:
- 29 (A) The number of referrals of local assistance applicants
- 30 to other programs.
- 31 (B) The value of the services provided by the county in
- 32 making referrals to other programs.
- 33 (17) The total number of training programs or job placements
- 34 found for recipients of local assistance with the assistance of
- 35 the county trustee.
- 36 (18) The number of hours spent by recipients of local
- 37 assistance at workfare.
- 38 (19) The total value of the services provided by workfare to
- 39 the county and other agencies.
- 40 (20) The total amount of reimbursement for assistance
- 41 received from:
- 42 (A) recipients;



- 1 **(B) members of recipients' households; or**
 2 **(C) recipients' estates;**
 3 **under IC 12-20-6-10, IC 12-20-27-1, or IC 12-20-27-1.5.**
 4 **(21) The total amount of reimbursement for assistance**
 5 **received from medical programs under IC 12-20-16-2(e).**
 6 **(22) The total of each of the following:**
 7 **(A) The number of individuals assisted through a**
 8 **representative payee program.**
 9 **(B) The amount of funds processed through the**
 10 **representative payee program that are not county funds.**
 11 **(23) The total of each of the following:**
 12 **(A) The number of individuals assisted through special**
 13 **nontraditional programs provided through the township or**
 14 **the county without the expenditure of county funds.**
 15 **(B) The amount of funds used to provide the special**
 16 **nontraditional programs that are not county funds.**
 17 **(24) The total of each of the following:**
 18 **(A) The number of hours an investigator of local assistance**
 19 **spends providing case management services to a recipient**
 20 **of local assistance or a member of a household receiving**
 21 **local assistance.**
 22 **(B) The value of the case management services provided.**
 23 **(25) The total number of housing inspections performed by**
 24 **the county.**
 25 **If the total number or value of any item required to be reported**
 26 **under this subsection is zero (0), the board shall include the**
 27 **notation "0" in the report where the total number or value is**
 28 **required to be reported.**
 29 **(d) The state board of accounts shall compare and compile all**
 30 **data reported under subsection (c) into a statewide statistical**
 31 **report. The department shall summarize the data compiled by the**
 32 **state board of accounts that relates to the fixing of county budgets,**
 33 **levies, and tax rates and shall include the department's summary**
 34 **within the statewide statistical report prepared under this**
 35 **subsection. Before July 1 of each year, the state board of accounts**
 36 **shall file the statewide statistical report prepared under this**
 37 **subsection with the executive director of the legislative services**
 38 **agency in an electronic format under IC 5-14-6.**
 39 **(e) The state board of accounts shall forward a copy of:**
 40 **(1) each annual report forwarded to the board under**
 41 **subsection (c); and**
 42 **(2) the statewide statistical report under subsection (d);**



1 to the department and the division of family resources.

2 (f) The division of family resources shall include in the division's
3 periodic reports made to the United States Department of Health
4 and Human Services concerning the Temporary Assistance for
5 Needy Families (TANF) and Supplemental Security Income (SSI)
6 programs information forwarded to the division under subsection
7 (f) concerning the total number of recipients of local assistance and
8 the total dollar amount of benefits provided.

9 (g) The department may not approve the budget of a county that
10 failed to file an annual statistical report under subsection (c) in the
11 preceding calendar year.

12 (h) This section does not prevent the electronic transfer of data
13 required to be reported under IC 12-2-1-40 (before its repeal) or
14 this section if the following conditions are met:

15 (1) The method of reporting is acceptable to both the board
16 reporting the information and the governmental entity to
17 which the information is reported.

18 (2) A written copy of information reported by electronic
19 transfer is on file with the board reporting information by
20 electronic means.

21 (i) The information required to be reported by the board under
22 this section shall be maintained by the administrator in accordance
23 with IC 5-15-6.

24 SECTION 158. IC 12-30-2-10, AS AMENDED BY P.L.73-2005,
25 SECTION 155, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) The superintendent of the
27 county home shall manage the county home and its farm to the best
28 interests of the county.

29 (b) The superintendent shall maintain order and discipline and shall
30 assign a reasonable amount of labor to every resident who is able to
31 perform labor. A resident may not be excused from labor except by the
32 superintendent or by the county physician for cause. The excuse of a
33 resident by the physician shall be for a definite time, except in the case
34 of:

35 (1) residents at least seventy (70) years of age; or

36 (2) residents suffering from a physical or mental disability that
37 makes the residents unfit for labor;

38 to whom a permanent excuse may be given by the physician.

39 (c) A resident who refuses to perform the task assigned by the
40 superintendent may be dismissed from the county home by the
41 superintendent and can only be readmitted within six (6) weeks after
42 dismissal:



- 1 (1) with the consent of the superintendent; or
 2 (2) upon an order that is issued by the ~~township trustee as the~~
 3 administrator of ~~township assistance~~ and endorsed by the
 4 chairman of the board of commissioners.

5 SECTION 159. IC 12-30-4-1, AS AMENDED BY P.L.73-2005,
 6 SECTION 156, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2015]: Sec. 1. Every county that maintains, in
 8 addition to any other charitable institution permitted by law, a county
 9 home that provides for the care of indigent individuals as provided by
 10 law:

- 11 (1) shall receive and support in the county home indigent
 12 individuals who:
 13 (A) are lawfully settled in the county; and
 14 (B) placed in the county home by the ~~township trustee as the~~
 15 administrator of ~~township assistance~~; with the consent of the
 16 board of commissioners of the county; or
 17 (2) may contract with other counties or with other charitable
 18 institutions located in Indiana for the relief and support of
 19 indigent individuals maintained as a public charge of the county,
 20 and may levy taxes for that purpose.

21 SECTION 160. IC 12-30-4-2, AS AMENDED BY P.L.73-2005,
 22 SECTION 157, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The ~~township trustee as the~~
 24 administrator of ~~township assistance~~ shall periodically provide for the
 25 admission to the county home of indigent individuals who have become
 26 permanent charges on the township **or (after December 31, 2018) the**
 27 **county, in the case of a county not having a consolidated city.**

28 (b) Whenever an individual who is determined to be eligible for
 29 ~~township local~~ assistance and is entitled to temporary relief is in a
 30 township **or (after December 31, 2018) the county, in the case of a**
 31 **county not having a consolidated city** in which the individual does
 32 not have legal settlement, the ~~township trustee as the~~ administrator of
 33 ~~township assistance~~ may place the individual temporarily in the county
 34 home.

35 SECTION 161. IC 12-30-4-3, AS AMENDED BY P.L.73-2005,
 36 SECTION 158, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2015]: Sec. 3. The ~~township trustee as the~~
 38 administrator of ~~township assistance~~ shall, when seeking the admission
 39 of an individual as a resident of a county home, first investigate the
 40 individual and **make prepare** a report. ~~to the board of commissioners~~
 41 ~~of the county~~. The report must contain the following:

- 42 (1) The name of the individual.



- 1 (2) The birth place and date of birth of the individual.
- 2 (3) The length of time that the individual has been legally settled
- 3 in the township **or (after December 31, 2018) the county, in the**
- 4 **case of a county not having a consolidated city.**
- 5 (4) A statement of the health of the individual, which must be
- 6 certified to by a competent physician.
- 7 (5) A statement of the income, property, or property rights of the
- 8 individual.
- 9 (6) A list of the individual's relatives who, in the opinion of the
- 10 ~~township trustee as the~~ administrator, ~~of township assistance,~~ are
- 11 capable of making contributions for the support of the individual.

12 **If the administrator is a township trustee, the administrator must**
 13 **make the report to the board of commissioners of the county.**

14 SECTION 162. IC 12-30-4-4, AS AMENDED BY P.L.73-2005,
 15 SECTION 159, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The board of commissioners
 17 of the county shall, upon receipt of a recommendation by the ~~township~~
 18 ~~trustee as the~~ administrator, ~~of township assistance,~~ immediately
 19 consider the recommendation and make further investigation that the
 20 board of commissioners considers best. The board of commissioners of
 21 the county shall admit the individual on the terms, conditions, and
 22 contract that the board of commissioners considers just and fair by
 23 requiring the individual sought to be admitted, or other persons or
 24 agencies, to pay the money, within the rate lawfully established under
 25 section 8 of this chapter, at the times that the board of commissioners
 26 considers proper.

27 (b) The board of commissioners may delegate the investigation to
 28 the superintendent of the county home or to other agencies or persons
 29 that the board of commissioners considers best. However, the board of
 30 commissioners retains the right of determination, subject only to the
 31 right of appeal.

32 SECTION 163. IC 12-30-4-5, AS AMENDED BY P.L.73-2005,
 33 SECTION 160, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2015]: Sec. 5. If a board of commissioners finds
 35 that the individual sought to be admitted into the county home or other
 36 charitable institution should not, for any cause, be admitted, the
 37 individual denied admission, or the ~~township trustee as the~~
 38 ~~administrator, of township assistance,~~ may appeal from the decision of
 39 the board of commissioners of the county to the circuit court of the
 40 county by filing a transcript of the record before the board of
 41 commissioners with the clerk of the circuit court of the county, who
 42 shall immediately notify the circuit court. The court shall, as soon as



1 possible, proceed to hear and determine the matter. The court may
 2 order the board of commissioners to accept the individual in the county
 3 home or other charitable institution on the terms and conditions, within
 4 the lawfully established rate as provided in section 8 of this chapter, as
 5 the court orders.

6 SECTION 164. IC 12-30-4-6, AS AMENDED BY P.L.73-2005,
 7 SECTION 161, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2015]: Sec. 6. In case of an emergency and
 9 pending the decision by the board of commissioners or the circuit
 10 court, an individual sought to be admitted shall be admitted
 11 temporarily. If the final determination is made that the individual
 12 should not be admitted, the ~~trustee~~ **administrator** of the township **or**
 13 **(after December 31, 2018) the county, in the case of a county not**
 14 **having a consolidated city,** of the individual's legal settlement, ~~as the~~
 15 ~~administrator, of township assistance,~~ shall immediately remove the
 16 individual from the county home or other charitable institution.

17 SECTION 165. IC 12-30-4-10, AS AMENDED BY P.L.73-2005,
 18 SECTION 162, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2015]: Sec. 10. The:

20 (1) county council shall appropriate; and

21 (2) the board of commissioners in each county shall advance;

22 to the ~~township trustees as the administrators of township assistance~~
 23 the money necessary for the relief and burial of the indigent in each
 24 township, which shall be accounted for and repaid to the county
 25 treasurer as provided in section 11 of this chapter.

26 SECTION 166. IC 12-30-4-11, AS AMENDED BY P.L.73-2005,
 27 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) Each ~~township trustee as the~~
 29 ~~administrator of township assistance~~ shall pay to the county the amount
 30 fixed for each individual admitted into the county home or other
 31 charitable institution from the township, except those otherwise able to
 32 pay the cost of their care from their own resources or from other
 33 assistance awards. Except as provided in subsection (b), the amount
 34 that may be charged to the township may not exceed one hundred
 35 dollars (\$100) per month per individual.

36 (b) This subsection applies to a county having a population of more
 37 than four hundred thousand (400,000) but less than seven hundred
 38 thousand (700,000). The amount charged the township per individual
 39 may not exceed forty-eight dollars (\$48) per month or twelve dollars
 40 (\$12) per week. **This subsection expires January 1, 2019.**

41 (c) Each township shall levy a tax sufficient to meet those expenses.

42 (d) Payment and settlement shall be made in July and December of



1 each year for the preceding year.

2 **(e) After December 31, 2018, this section applies only to a**
 3 **county having a consolidated city.**

4 SECTION 167. IC 12-30-7-33, AS AMENDED BY P.L.73-2005,
 5 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2015]: Sec. 33. (a) Whenever a patient has been
 7 admitted to a health center from the county in which the health center
 8 is situated, the administrator shall cause an inquiry to be made as to the
 9 financial circumstances of the patient and of any relatives of the patient
 10 who may be legally liable for the patient's support. If the administrator
 11 finds that the patient or the patient's relatives are able to pay for the
 12 patient's care and treatment, in whole or in part, an order shall be made
 13 directing the patient or the relative to pay a specified amount per month
 14 to the health center for the support of the patient.

15 (b) The health center may collect the amount from the estate of the
 16 patient or from relatives legally liable for the patient's support. If the
 17 administrator finds that the patient or the patient's relatives are not able
 18 to pay, the administrator may seek reimbursement from the county
 19 office, Medicare, Medicaid, private insurance companies, ~~the township~~
 20 ~~trustee as the administrator (as defined in IC 12-7-2-1.5(3)), of~~
 21 ~~township assistance~~, or the county general fund, depending on the
 22 eligibility of the patient for assistance from the county office or
 23 program.

24 SECTION 168. IC 15-16-7-4, AS ADDED BY P.L.2-2008,
 25 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 4. (a) The weed control board consists of the
 27 following members to be appointed by the authorizing body:

28 (1) One (1) **member who is:**

29 **(A) a township trustee of a township in the county; or**

30 **(B) after December 31, 2018, in a county that does not have**
 31 **a consolidated city, the county executive or county**
 32 **executive's designee responsible for the destruction of**
 33 **detrimental plants described in this chapter.**

34 (2) One (1) soil and water conservation district supervisor.

35 (3) One (1) representative from the agricultural community of the
 36 county.

37 (4) One (1) representative from the county highway department
 38 or an appointee of the county commissioners.

39 (5) One (1) cooperative extension service agent from the county
 40 to serve in a nonvoting advisory capacity.

41 (b) Each board member shall be appointed for a term of four (4)
 42 years. All vacancies in the membership of the board shall be filled for



1 the unexpired term in the same manner as initial appointments.

2 (c) The board shall elect a chairperson and a secretary. The
3 members of the board are not entitled to receive any compensation, but
4 are entitled to any traveling and other expenses that are necessary in the
5 discharge of the members' duties.

6 SECTION 169. IC 15-16-7-9, AS ADDED BY P.L.2-2008,
7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2015]: Sec. 9. (a) The weed control board shall require
9 persons who own:

10 (1) real estate; or

11 (2) easements, rights-of-way, or other similar interests in real
12 estate;

13 in the county to control and contain noxious weeds growing on the real
14 estate.

15 (b) A five (5) day written notice to remove any noxious weeds shall
16 be issued by the board. The notice may be served:

17 (1) by certified or registered mail addressed to the latest address
18 of the person or to the person's resident agent; or

19 (2) personally by the sheriff.

20 (c) The weed control board shall notify the township trustee **or**
21 **(after December 31, 2018) the county executive or county**
22 **executive's designee, in a county not having a consolidated city,**
23 when the board has sent a notice to a person to remove noxious weeds
24 growing on real estate in the township.

25 SECTION 170. IC 15-16-8-0.5 IS ADDED TO THE INDIANA
26 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
27 **[EFFECTIVE JULY 1, 2015]: Sec. 0.5. (a) This section applies after**
28 **December 31, 2018. This section applies only to a county not having**
29 **a consolidated city.**

30 (b) **After December 31, 2018, the powers and duties established**
31 **by this chapter are conferred and imposed on the county with**
32 **respect to property in a township that is located in the county.**

33 (c) **After December 31, 2018, any reference in this chapter to**
34 **"township board" is considered a reference to the county fiscal**
35 **body.**

36 (d) **After December 31, 2018, any reference in this chapter to:**

37 (1) **"township" is considered a reference to the geographic**
38 **area of a dissolved township government in a county; and**

39 (2) **"township trustee" or "trustee" is considered a reference**
40 **to the appropriate county official or county official's designee**
41 **to administer this chapter.**

42 SECTION 171. IC 16-23-9-0.5 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. (a) This section applies after**
 3 **December 31, 2018. This section applies only to a county not having**
 4 **a consolidated city.**

5 (b) After December 31, 2018, the powers and duties established
 6 by this chapter are conferred and imposed on the county with
 7 respect to the hospital located within the township before the
 8 township government was dissolved under IC 36-6-1.2.

9 (c) After December 31, 2018, any reference in this chapter to
 10 "township board" is considered a reference to the county fiscal
 11 body.

12 (d) After December 31, 2018, any reference in this chapter to:
 13 (1) "township" is considered a reference to the geographic
 14 area of a dissolved township government in a county; and
 15 (2) "township trustee" or "trustee" is considered a reference
 16 to the appropriate county official or county official's designee
 17 to administer this chapter.

18 SECTION 172. IC 16-24-1-21, AS AMENDED BY P.L.73-2005,
 19 SECTION 165, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2015]: Sec. 21. (a) Whenever a patient is
 21 admitted to the hospital from the county in which the hospital is
 22 located, the superintendent shall inquire:

- 23 (1) as to the patient's circumstances; and
- 24 (2) of the relatives of the patient legally liable for the patient's
 25 support.

26 (b) If the patient or the patient's relatives are able to pay for the
 27 patient's care and treatment in whole or in part, the patient or the
 28 patient's relatives shall be directed to pay the treasurer of the hospital
 29 for the patient's support in proportion to the patient's or relatives'
 30 financial ability, but not to exceed the actual per capita cost of
 31 maintenance.

32 (c) The superintendent has the same authority to collect the sum
 33 from the estate of the patient or the patient's relatives legally liable for
 34 the patient's support as is possessed by the ~~township trustee~~ as
 35 administrator of ~~township~~ local assistance **(as defined in**
 36 **IC 12-7-2-1.5(3))** in similar circumstances. If the superintendent finds
 37 that the patient or the patient's relatives are not able to pay either in
 38 whole or in part the patient becomes a charge upon the county.

39 SECTION 173. IC 16-24-1-23, AS AMENDED BY P.L.73-2005,
 40 SECTION 166, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) Whenever a superintendent
 42 receives an application for the admission of a patient with tuberculosis



1 from the county executive of any other county, the superintendent shall
2 notify the person to appear at the hospital if there is:

3 (1) a vacancy; and

4 (2) no pending application from a resident of the county in which
5 the hospital is located.

6 (b) If the superintendent is satisfied that the patient has tuberculosis,
7 the superintendent shall admit the patient to the hospital. The patient
8 is a charge against the county executive of the county sending the
9 patient, at a rate to be fixed by the board of managers. The rate may not
10 exceed the per capita cost of maintenance, including a reasonable
11 allowance for interest on the costs of the hospital. The bill shall, when
12 verified, be audited and paid by the auditor of that county.

13 (c) The county executive shall investigate the circumstances of the
14 patient and of the patient's relatives legally liable for the patient's
15 support, and has the same authority as the ~~township trustee~~ as
16 administrator of ~~township local~~ assistance **(as defined in**
17 **IC 12-7-2-1.5(3))** to collect the cost of the patient's maintenance
18 according to the patient's relatives' financial ability.

19 SECTION 174. IC 16-24-2-10, AS AMENDED BY P.L.73-2005,
20 SECTION 167, IS AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2015]: Sec. 10. Whenever a patient is admitted
22 to the hospital from the county in which the hospital is situated, the
23 superintendent shall inquire into the circumstances of the patient and
24 of the relatives of the patient legally liable for the patient's support. If
25 the superintendent finds that the patient or the patient's relatives are
26 able to pay for care and treatment, in whole or in part, the
27 superintendent shall direct the patient or the patient's relatives to pay
28 to the treasurer of the hospital a specified amount each week, in
29 proportion to the patient's or the patient's relatives' financial ability. The
30 hospital has the same authority to collect from the estate of the patient,
31 or the patient's relatives legally liable for the patient's support, as the
32 ~~township trustee~~ as administrator **(as defined in IC 12-7-2-1.5(3))** of
33 ~~township local~~ assistance in similar cases. If the patient or the patient's
34 relatives are not able to pay, either in whole or in part, the care and
35 treatment become a charge upon the county.

36 SECTION 175. IC 16-24-2-13, AS AMENDED BY P.L.73-2005,
37 SECTION 168, IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) Whenever the
39 superintendent receives an application for the admission of a patient
40 from another county, the superintendent shall notify the person to
41 appear at the hospital if the following conditions are met:

42 (1) It appears that the person has tuberculosis, or a similar



1 disease.

2 (2) There is a vacancy in the hospital.

3 (3) There is no pending application from a patient residing in the

4 county in which the hospital is located.

5 (b) If, upon personal examination of the patient by the medical staff

6 of the hospital, the superintendent determines that the patient has

7 tuberculosis, the superintendent shall admit the patient to the hospital.

8 The patient is a charge against the executive of the county sending the

9 patient, at a rate to be fixed by the board of managers but not to exceed

10 the per capita cost of maintenance, including a reasonable allowance

11 for interest on the cost of the hospital. The bill shall, when verified, be

12 paid by the auditor of the county. The county executive of the

13 contracting county shall investigate the circumstances of the patient

14 and of the patient's relatives legally liable for the patient's support. The

15 county executive has the same authority as a ~~township trustee~~ **as an**

16 **administrator (as defined in IC 12-7-2-1.5(3))** of ~~township local~~

17 **assistance in similar cases to collect, according to the patient's or the**

18 **patient's relatives' financial ability, the cost of the maintenance.**

19 SECTION 176. IC 16-41-19-7, AS AMENDED BY P.L.73-2005,

20 SECTION 169, IS AMENDED TO READ AS FOLLOWS

21 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Except as provided in

22 subsection (b), all costs that are incurred in furnishing biologicals

23 under this chapter, IC 12-20-16-2(c)(13), or IC 12-20-16-14 shall be

24 paid: ~~by:~~

25 (1) **by** the appropriate county, city, or town against which the

26 application form is issued from general funds; ~~and~~

27 (2) **by** the appropriate township against which the application

28 form is issued from funds in the ~~township local~~ **assistance fund;**

29 **and**

30 **(3) after December 31, 2018, in the case of a county not having**

31 **a consolidated city, from funds in the county's local assistance**

32 **fund;**

33 not otherwise appropriated without appropriations.

34 (b) A:

35 (1) township; **or**

36 (2) **(after December 31, 2018) county not having a**

37 **consolidated city;**

38 is not responsible for paying for biologicals as provided in subsection

39 (a)(2) **or (a)(3)** if the township ~~trustee~~ **administrator or (after**

40 **December 31, 2018) county** has evidence that the individual has the

41 financial ability to pay for the biologicals.

42 (c) After being presented with a legal claim for insulin being



1 furnished to the same individual a second time, a township trustee
2 **administrator or (after December 31, 2018) the administrator (as**
3 **defined in IC 12-7-2-1.5(3)) of local assistance for the county, in the**
4 **case of a county not having a consolidated city,** may require the
5 individual to complete and file a standard application for township
6 **local** assistance in order to investigate the financial condition of the
7 individual claiming to be indigent. The trustee **or (after December 31,**
8 **2018) the administrator of local assistance for the county, in the**
9 **case of a county not having a consolidated city,** shall immediately
10 notify the individual's physician that:

- 11 (1) the financial ability of the individual claiming to be indigent
12 is in question; and
- 13 (2) a standard application for township local assistance must be
14 filed with the township **or (after December 31, 2018), in the**
15 **case of a county that does not have a consolidated city, the**
16 **county.**

17 The township **or (after December 31, 2018, in the case of a county**
18 **that does not have a consolidated city, the county** shall continue to
19 furnish insulin under this section until the township trustee **or the**
20 **county** completes an investigation and makes a determination as to the
21 individual's financial ability to pay for insulin.

22 (d) For purposes of this section, the township **or (after December**
23 **31, 2018), in the case of a county that does not have a consolidated**
24 **city, the county** shall consider an adult individual needing insulin as
25 an individual and not as a member of a household requesting township
26 **local** assistance.

27 SECTION 177. IC 16-41-21-18 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. A person who
29 recklessly transfers to a township trustee **an administrator (as defined**
30 **in IC 12-7-2-1.5(3))** or board of school commissioners for use in a
31 school any materials, supplies, sanitary apparatus, or systems that do
32 not comply with this chapter commits a Class B misdemeanor.

33 SECTION 178. IC 16-46-3-3 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. This chapter does not
35 amend, supersede, or repeal any other statute vesting authority in any
36 township trustee; **administrator (as defined in IC 12-7-2-1.5(3)),**
37 school board, board of school trustees, or board of school
38 commissioners.

39 SECTION 179. IC 20-33-5-12, AS ADDED BY P.L.1-2005,
40 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 12. Under extraordinary circumstances, the
42 township trustee **administrator (as defined in IC 12-7-2-1.5(3))** may



1 pay for the fees enumerated in section 3 of this chapter for individuals
 2 who do not otherwise qualify under the financial eligibility standard
 3 established in this chapter. Assistance in such cases may be provided
 4 by the ~~township trustee administrator~~ **administrator (as defined in**
 5 **IC 12-7-2-1.5(3))** under IC 12-20.

6 SECTION 180. IC 20-33-5-13, AS ADDED BY P.L.1-2005,
 7 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 13. (a) Financial assistance for shoes and clothing
 9 shall be provided directly by the ~~township trustee administrator~~ **(as**
 10 **defined in IC 12-7-2-1.5(3))** under IC 12-20 to parents who do not
 11 have sufficient means to furnish the shoes and clothing needed by the
 12 children to attend school.

13 (b) A school corporation may establish a clothing bank to provide
 14 for children's clothing needs on an emergency basis.

15 SECTION 181. IC 23-14-31-26, AS AMENDED BY P.L.6-2012,
 16 SECTION 161, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) Except as provided in
 18 subsection (c), the following persons, in the priority listed, have the
 19 right to serve as an authorizing agent:

20 (1) A person:

21 (A) granted the authority to serve in a funeral planning
 22 declaration executed by the decedent under IC 29-2-19; or

23 (B) named in a United States Department of Defense form
 24 "Record of Emergency Data" (DD Form 93) or a successor
 25 form adopted by the United States Department of Defense, if
 26 the decedent died while serving in any branch of the United
 27 States Armed Forces (as defined in 10 U.S.C. 1481) and
 28 completed the form.

29 (2) An individual specifically granted the authority to serve in a
 30 power of attorney or a health care power of attorney executed by
 31 the decedent under IC 30-5-5-16.

32 (3) The individual who was the spouse of the decedent at the time
 33 of the decedent's death, except when:

34 (A) a petition to dissolve the marriage or for legal separation
 35 of the decedent and spouse is pending with a court at the time
 36 of the decedent's death, unless a court finds that the decedent
 37 and spouse were reconciled before the decedent's death; or

38 (B) a court determines the decedent and spouse were
 39 physically and emotionally separated at the time of death and
 40 the separation was for an extended time that clearly
 41 demonstrates an absence of due affection, trust, and regard for
 42 the decedent.



- 1 (4) The decedent's surviving adult child or, if more than one (1)
 2 adult child is surviving, the majority of the adult children.
 3 However, less than half of the surviving adult children have the
 4 rights under this subdivision if the adult children have used
 5 reasonable efforts to notify the other surviving adult children of
 6 their intentions and are not aware of any opposition to the final
 7 disposition instructions by more than half of the surviving adult
 8 children.
- 9 (5) The decedent's surviving parent or parents. If one (1) of the
 10 parents is absent, the parent who is present has authority under
 11 this subdivision if the parent who is present has used reasonable
 12 efforts to notify the absent parent.
- 13 (6) The decedent's surviving sibling or, if more than one (1)
 14 sibling is surviving, the majority of the surviving siblings.
 15 However, less than half of the surviving siblings have the rights
 16 under this subdivision if the siblings have used reasonable efforts
 17 to notify the other surviving siblings of their intentions and are
 18 not aware of any opposition to the final disposition instructions by
 19 more than half of the surviving siblings.
- 20 (7) The individual in the next degree of kinship under IC 29-1-2-1
 21 to inherit the estate of the decedent or, if more than one (1)
 22 individual of the same degree is surviving, the majority of those
 23 who are of the same degree. However, less than half of the
 24 individuals who are of the same degree of kinship have the rights
 25 under this subdivision if they have used reasonable efforts to
 26 notify the other individuals who are of the same degree of kinship
 27 of their intentions and are not aware of any opposition to the final
 28 disposition instructions by more than half of the individuals who
 29 are of the same degree of kinship.
- 30 (8) If none of the persons described in subdivisions (1) through
 31 (7) are available, any other person willing to act and arrange for
 32 the final disposition of the decedent's remains, including a funeral
 33 home that:
- 34 (A) has a valid prepaid funeral plan executed under IC 30-2-13
 35 that makes arrangements for the disposition of the decedent's
 36 remains; and
- 37 (B) attests in writing that a good faith effort has been made to
 38 contact any living individuals described in subdivisions (1)
 39 through (7).
- 40 (9) In the case of an indigent or other individual whose final
 41 disposition is the responsibility of the state or township **or (after**
 42 **December 31, 2018) county, in the case of a county not having**



1 **a consolidated city**, the following may serve as the authorizing
2 agent:

3 (A) If none of the persons identified in subdivisions (1)
4 through (8) are available:

- 5 (i) a public administrator, including a ~~responsible township~~
6 ~~trustee or the trustee's designee~~ **an administrator of local**
7 **assistance under IC 12-20-1-2.5**; or
8 (ii) the coroner.

9 (B) A state appointed guardian.

10 However, an indigent decedent may not be cremated if a
11 surviving family member objects to the cremation or if cremation
12 would be contrary to the religious practices of the deceased
13 individual as expressed by the individual or the individual's
14 family.

15 (10) In the absence of any person under subdivisions (1) through
16 (9), any person willing to assume the responsibility as the
17 authorizing agent, as specified in this article.

18 (b) When a body part of a nondeceased individual is to be cremated,
19 a representative of the institution that has arranged with the crematory
20 authority to cremate the body part may serve as the authorizing agent.

21 (c) If:

22 (1) the death of the decedent appears to have been the result of:

- 23 (A) murder (IC 35-42-1-1);
24 (B) voluntary manslaughter (IC 35-42-1-3); or
25 (C) another criminal act, if the death does not result from the
26 operation of a vehicle; and

27 (2) the coroner, in consultation with the law enforcement agency
28 investigating the death of the decedent, determines that there is a
29 reasonable suspicion that a person described in subsection (a)
30 committed the offense;

31 the person referred to in subdivision (2) may not serve as the
32 authorizing agent.

33 (d) The coroner, in consultation with the law enforcement agency
34 investigating the death of the decedent, shall inform the crematory
35 authority of the determination referred to in subsection (c)(2).

36 (e) If a person vested with a right under subsection (a) does not
37 exercise that right not later than seventy-two (72) hours after the person
38 receives notification of the death of the decedent, the person forfeits the
39 person's right to determine the final disposition of the decedent's
40 remains, and the right to determine final disposition passes to the next
41 person described in subsection (a).

42 (f) A crematory authority owner has the right to rely, in good faith,



1 on the representations of a person listed in subsection (a) that any other
 2 individuals of the same degree of kinship have been notified of the
 3 final disposition instructions.

4 (g) If there is a dispute concerning the disposition of a decedent's
 5 remains, a crematory authority is not liable for refusing to accept the
 6 remains of the decedent until the crematory authority receives:

7 (1) a court order; or

8 (2) a written agreement signed by the disputing parties;

9 that determines the final disposition of the decedent's remains. If a
 10 crematory authority agrees to shelter the remains of the decedent while
 11 the parties are in dispute, the crematory authority may collect any
 12 applicable fees for storing the remains, including legal fees that are
 13 incurred.

14 (h) Any cause of action filed under this section must be filed in the
 15 probate court in the county where the decedent resided, unless the
 16 decedent was not a resident of Indiana.

17 (i) A spouse seeking a judicial determination under subsection
 18 (a)(3)(A) that the decedent and spouse were reconciled before the
 19 decedent's death may petition the court having jurisdiction over the
 20 dissolution or separation proceeding to make this determination by
 21 filing the petition under the same cause number as the dissolution or
 22 separation proceeding. A spouse who files a petition under this
 23 subsection is not required to pay a filing fee.

24 SECTION 182. IC 23-14-33-3.5 IS ADDED TO THE INDIANA
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2015]: **Sec. 3.5. (a) After December 31, 2018,**
 27 **in a county that does not have a consolidated city, the powers and**
 28 **duties established by this chapter through IC 23-14-76 are**
 29 **conferred and imposed on the county executive or county**
 30 **executive's designee with respect to property in the county.**

31 (b) After December 31, 2018, any reference in this chapter
 32 through IC 23-14-76 to "township board" is considered a reference
 33 to the county fiscal body.

34 (c) After December 31, 2018, any reference in this chapter
 35 through IC 23-14-76 to a:

36 (1) "township" is considered a reference to the geographic
 37 area of a dissolved township government in a county; and

38 (2) "township trustee" or "trustee" is considered a reference
 39 to the county executive or the county executive's designee to
 40 administer this chapter.

41 SECTION 183. IC 25-15-9-18, AS AMENDED BY P.L.6-2012,
 42 SECTION 176, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: Sec. 18. (a) Except as provided in
2 subsection (b), the following persons, in the order of priority indicated,
3 have the authority to designate the manner, type, and selection of the
4 final disposition of human remains, to make arrangements for funeral
5 services, and to make other ceremonial arrangements after an
6 individual's death:

7 (1) A person:

8 (A) granted the authority to serve in a funeral planning
9 declaration executed by the decedent under IC 29-2-19; or

10 (B) named in a United States Department of Defense form
11 "Record of Emergency Data" (DD Form 93) or a successor
12 form adopted by the United States Department of Defense, if
13 the decedent died while serving in any branch of the United
14 States Armed Forces (as defined in 10 U.S.C. 1481) and
15 completed the form.

16 (2) An individual specifically granted the authority in a power of
17 attorney or a health care power of attorney executed by the
18 decedent under IC 30-5-5-16.

19 (3) The individual who was the spouse of the decedent at the time
20 of the decedent's death, except when:

21 (A) a petition to dissolve the marriage or for legal separation
22 of the decedent and spouse is pending with a court at the time
23 of the decedent's death, unless a court finds that the decedent
24 and spouse were reconciled before the decedent's death; or

25 (B) a court determines the decedent and spouse were
26 physically and emotionally separated at the time of death and
27 the separation was for an extended time that clearly
28 demonstrates an absence of due affection, trust, and regard for
29 the decedent.

30 (4) The decedent's surviving adult child or, if more than one (1)
31 adult child is surviving, the majority of the adult children.
32 However, less than half of the surviving adult children have the
33 rights under this subdivision if the adult children have used
34 reasonable efforts to notify the other surviving adult children of
35 their intentions and are not aware of any opposition to the final
36 disposition instructions by more than half of the surviving adult
37 children.

38 (5) The decedent's surviving parent or parents. If one (1) of the
39 parents is absent, the parent who is present has the rights under
40 this subdivision if the parent who is present has used reasonable
41 efforts to notify the absent parent.

42 (6) The decedent's surviving sibling or, if more than one (1)



1 sibling is surviving, the majority of the surviving siblings.
 2 However, less than half of the surviving siblings have the rights
 3 under this subdivision if the siblings have used reasonable efforts
 4 to notify the other surviving siblings of their intentions and are
 5 not aware of any opposition to the final disposition instructions by
 6 more than half of the surviving siblings.

7 (7) The individual in the next degree of kinship under IC 29-1-2-1
 8 to inherit the estate of the decedent or, if more than one (1)
 9 individual of the same degree survives, the majority of those who
 10 are of the same degree of kinship. However, less than half of the
 11 individuals who are of the same degree of kinship have the rights
 12 under this subdivision if they have used reasonable efforts to
 13 notify the other individuals who are of the same degree of kinship
 14 of their intentions and are not aware of any opposition to the final
 15 disposition instructions by more than half of the individuals who
 16 are of the same degree of kinship.

17 (8) If none of the persons identified in subdivisions (1) through
 18 (7) are available, any other person willing to act and arrange for
 19 the final disposition of the decedent's remains, including a funeral
 20 home that:

21 (A) has a valid prepaid funeral plan executed under IC 30-2-13
 22 that makes arrangements for the disposition of the decedent's
 23 remains; and

24 (B) attests in writing that a good faith effort has been made to
 25 contact any living individuals described in subdivisions (1)
 26 through (7).

27 (9) In the case of an indigent or other individual whose final
 28 disposition is the responsibility of the state or township, the
 29 following:

30 (A) If none of the persons identified in subdivisions (1)
 31 through (8) is available:

32 (i) a public administrator, including a ~~responsible township~~
 33 ~~trustee or the trustee's designee~~; **the administrator of local**
 34 **assistance (as defined in IC 12-20-7-1.5(3))**; or

35 (ii) the coroner.

36 (B) A state appointed guardian.

37 (b) If:

38 (1) the death of the decedent appears to have been the result of:

39 (A) murder (IC 35-42-1-1);

40 (B) voluntary manslaughter (IC 35-42-1-3); or

41 (C) another criminal act, if the death does not result from the
 42 operation of a vehicle; and



1 (2) the coroner, in consultation with the law enforcement agency
2 investigating the death of the decedent, determines that there is a
3 reasonable suspicion that a person described in subsection (a)
4 committed the offense;

5 the person referred to in subdivision (2) may not authorize or designate
6 the manner, type, or selection of the final disposition of human
7 remains.

8 (c) The coroner, in consultation with the law enforcement agency
9 investigating the death of the decedent, shall inform the cemetery
10 owner or crematory authority of the determination under subsection
11 (b)(2).

12 (d) If the decedent had filed a protection order against a person
13 described in subsection (a) and the protection order is currently in
14 effect, the person described in subsection (a) may not authorize or
15 designate the manner, type, or selection of the final disposition of
16 human remains.

17 (e) A law enforcement agency shall determine if the protection order
18 is in effect. If the law enforcement agency cannot determine the
19 existence of a protection order that is in effect, the law enforcement
20 agency shall consult the protective order registry established under
21 IC 5-2-9-5.5.

22 (f) If a person vested with a right under subsection (a) does not
23 exercise that right not later than seventy-two (72) hours after the person
24 receives notification of the death of the decedent, the person forfeits the
25 person's right to determine the final disposition of the decedent's
26 remains and the right to determine final disposition passes to the next
27 person described in subsection (a).

28 (g) A funeral home has the right to rely, in good faith, on the
29 representations of a person listed in subsection (a) that any other
30 individuals of the same degree of kinship have been notified of the
31 final disposition instructions.

32 (h) If there is a dispute concerning the disposition of a decedent's
33 remains, a funeral home is not liable for refusing to accept the remains
34 of the decedent until the funeral home receives:

35 (1) a court order; or

36 (2) a written agreement signed by the disputing parties;
37 that determines the final disposition of the decedent's remains. If a
38 funeral home agrees to shelter the remains of the decedent while the
39 parties are in dispute, the funeral home may collect any applicable fees
40 for storing the remains, including legal fees that are incurred.

41 (i) Any cause of action filed under this section must be filed in the
42 probate court in the county where the decedent resided, unless the



1 decedent was not a resident of Indiana.

2 (j) A spouse seeking a judicial determination under subsection
3 (a)(3)(A) that the decedent and spouse were reconciled before the
4 decedent's death may petition the court having jurisdiction over the
5 dissolution or separation proceeding to make this determination by
6 filing the petition under the same cause number as the dissolution or
7 separation proceeding. A spouse who files a petition under this
8 subsection is not required to pay a filing fee.

9 SECTION 184. IC 31-9-2-99.7, AS AMENDED BY P.L.128-2012,
10 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2015]: Sec. 99.7. "Public welfare", for purposes of IC 31-25-3
12 and IC 31-25-4, means any form of public welfare or Social Security
13 provided in IC 31-25-3 or IC 31-25-4. The term does not include direct
14 **township local** assistance as administered by **township trustees**
15 **administrators (as defined in IC 12-7-2-1.5(3))** under IC 12-20.

16 SECTION 185. IC 32-26-4-2 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The trustee of
18 each township, the county highway superintendent, the Indiana
19 department of transportation, or other officer in control of the
20 maintenance of a highway shall between January 1 and April 1 of each
21 year, examine all hedges, live fences, natural growths along highways,
22 and other obstructions described in section 1 of this chapter in their
23 respective jurisdictions. **However, after December 31, 2018, in the**
24 **case of a county that does not have a consolidated city, the duties**
25 **and obligations of a township trustee under this chapter are**
26 **transferred to the county executive or the county executive's**
27 **designee.** If there are hedges, live fences, other growths, or
28 obstructions along the highways that have not been cut, trimmed down,
29 and maintained in accordance with this chapter, the owner shall be
30 given written notice to cut or trim the hedge or live fence and to burn
31 the brush trimmed from the hedge or live fence and remove any other
32 obstructions or growths.

33 (b) The notice required under subsection (a) must be served by
34 reading the notice to the owner or by leaving a copy of the notice at the
35 owner's usual place of residence.

36 (c) If the owner is not a resident of the township, county, or state
37 where the hedge, live fence, or other obstructions or growth is located,
38 the notice shall be served upon the owner's agent or tenant residing in
39 the township. If an agent or a tenant of the owner does not reside in the
40 township, the notice shall be served by mailing a copy of the notice to
41 the owner, directed to the owner's last known post office address.

42 (d) If the owner, agents, or tenants do not proceed to cut and trim



1 the fences and burn the brush trimmed from the fences or remove any
2 obstructions or growths within ten (10) days after notice is served, the
3 township trustee, county highway superintendent, or Indiana
4 department of transportation shall immediately:

- 5 (1) cause the fences to be cut and trimmed or obstructions or
- 6 growths removed in accordance with this chapter; and
- 7 (2) burn the brush trimmed from the fences.

8 All expenses incurred under this subsection shall be assessed against
9 and become a lien upon the land in the same manner as road taxes.

10 (e) The township trustee, county highway superintendent, or Indiana
11 department of transportation, having charge of the work performed
12 under subsection (d) shall prepare an itemized statement of the total
13 cost of the work of removing the obstructions or growths and shall sign
14 and certify the statement to the county auditor of the county in which
15 the land is located. The county auditor shall place the statement on the
16 tax duplicates. The county treasurer shall collect the costs entered on
17 the duplicates at the same time and in the same manner as road taxes
18 are collected. The treasurer may not issue a receipt for road taxes
19 unless the costs entered on the duplicates are paid in full at the same
20 time the road taxes are paid. If the costs are not paid when due, the
21 costs shall become delinquent, bear the same interest, be subject to the
22 same penalties, and be collected at the same time and in the same
23 manner as other unpaid and delinquent taxes.

24 SECTION 186. IC 32-26-5-0.5 IS ADDED TO THE INDIANA
25 CODE AS A NEW SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. (a) This section applies after**
27 **December 31, 2018. This section applies only to a county not having**
28 **a consolidated city.**

29 (b) **After December 31, 2018, the powers and duties of the**
30 **township trustee established by this chapter are conferred and**
31 **imposed on the county executive or the county executive's designee**
32 **with respect to property in the county.**

33 (c) **After December 31, 2018, any reference in this chapter to:**
34 **(1) "township" is considered a reference to the geographic**
35 **area of a dissolved township government in a county; and**
36 **(2) "township trustee" or "trustee" is considered a reference**
37 **to the county executive or the county executive's designee to**
38 **administer this chapter.**

39 SECTION 187. IC 32-26-9-0.6 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2015]: **Sec. 0.6. (a) This section applies after**
42 **December 31, 2018. This section applies only to a county not having**



- 1 a consolidated city.
- 2 (b) After December 31, 2018, the powers and duties established
- 3 by this chapter are conferred and imposed on the county executive
- 4 or the county executive's designee with respect to property in the
- 5 county.
- 6 (c) After December 31, 2018, any reference in this chapter to
- 7 "township board" is considered a reference to the county fiscal
- 8 body.
- 9 (d) After December 31, 2018, any reference in this chapter to:
- 10 (1) "township" is considered a reference to the geographic
- 11 area of a dissolved township government in a county; and
- 12 (2) "township trustee" or "trustee" is considered a reference
- 13 to the county executive or the county executive's designee to
- 14 administer this chapter.
- 15 SECTION 188. IC 34-30-2-140 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 140. IC 32-26-9-5
- 17 (Concerning township trustee **or, after December 31, 2018, the**
- 18 **county executive or county executive's designee in the case of a**
- 19 **county not having a consolidated city**, for contracts to repair fences).
- 20 SECTION 189. IC 35-43-5-1, AS AMENDED BY P.L.137-2009,
- 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2015]: Sec. 1. (a) The definitions set forth in this section apply
- 23 throughout this chapter.
- 24 (b) "Claim statement" means an insurance policy, a document, or a
- 25 statement made in support of or in opposition to a claim for payment
- 26 or other benefit under an insurance policy, or other evidence of
- 27 expense, injury, or loss. The term includes statements made orally, in
- 28 writing, or electronically, including the following:
- 29 (1) An account.
- 30 (2) A bill for services.
- 31 (3) A bill of lading.
- 32 (4) A claim.
- 33 (5) A diagnosis.
- 34 (6) An estimate of property damages.
- 35 (7) A hospital record.
- 36 (8) An invoice.
- 37 (9) A notice.
- 38 (10) A proof of loss.
- 39 (11) A receipt for payment.
- 40 (12) A physician's records.
- 41 (13) A prescription.
- 42 (14) A statement.



- 1 (15) A test result.
 2 (16) X-rays.
 3 (c) "Coin machine" means a coin box, vending machine, or other
 4 mechanical or electronic device or receptacle designed:
 5 (1) to receive a coin, bill, or token made for that purpose; and
 6 (2) in return for the insertion or deposit of a coin, bill, or token
 7 automatically:
 8 (A) to offer, provide, or assist in providing; or
 9 (B) to permit the acquisition of;
 10 some property.
 11 (d) "Credit card" means an instrument or device (whether known as
 12 a credit card or charge plate, or by any other name) issued by an issuer
 13 for use by or on behalf of the credit card holder in obtaining property.
 14 (e) "Credit card holder" means the person to whom or for whose
 15 benefit the credit card is issued by an issuer.
 16 (f) "Customer" means a person who receives or has contracted for
 17 a utility service.
 18 (g) "Drug or alcohol screening test" means a test that:
 19 (1) is used to determine the presence or use of alcohol, a
 20 controlled substance, or a drug in a person's bodily substance; and
 21 (2) is administered in the course of monitoring a person who is:
 22 (A) incarcerated in a prison or jail;
 23 (B) placed in a community corrections program;
 24 (C) on probation or parole;
 25 (D) participating in a court ordered alcohol or drug treatment
 26 program; or
 27 (E) on court ordered pretrial release.
 28 (h) "Entrusted" means held in a fiduciary capacity or placed in
 29 charge of a person engaged in the business of transporting, storing,
 30 lending on, or otherwise holding property of others.
 31 (i) "Identifying information" means information that identifies a
 32 person, including a person's:
 33 (1) name, address, date of birth, place of employment, employer
 34 identification number, mother's maiden name, Social Security
 35 number, or any identification number issued by a governmental
 36 entity;
 37 (2) unique biometric data, including the person's fingerprint,
 38 voice print, or retina or iris image;
 39 (3) unique electronic identification number, address, or routing
 40 code;
 41 (4) telecommunication identifying information; or
 42 (5) telecommunication access device, including a card, a plate, a



1 code, a telephone number, an account number, a personal
 2 identification number, an electronic serial number, a mobile
 3 identification number, or another telecommunications service or
 4 device or means of account access that may be used to:

- 5 (A) obtain money, goods, services, or any other thing of value;
 6 or
 7 (B) initiate a transfer of funds.

8 (j) "Insurance policy" includes the following:

- 9 (1) An insurance policy.
 10 (2) A contract with a health maintenance organization (as defined
 11 in IC 27-13-1-19) or a limited service health maintenance
 12 organization (as defined in IC 27-13-1-27).
 13 (3) A written agreement entered into under IC 27-1-25.

14 (k) "Insurer" has the meaning set forth in IC 27-1-2-3(x). The term
 15 also includes the following:

- 16 (1) A reinsurer.
 17 (2) A purported insurer or reinsurer.
 18 (3) A broker.
 19 (4) An agent of an insurer, a reinsurer, a purported insurer or
 20 reinsurer, or a broker.
 21 (5) A health maintenance organization.
 22 (6) A limited service health maintenance organization.

23 (l) "Manufacturer" means a person who manufactures a recording.
 24 The term does not include a person who manufactures a medium upon
 25 which sounds or visual images can be recorded or stored.

26 (m) "Make" means to draw, prepare, complete, counterfeit, copy or
 27 otherwise reproduce, or alter any written instrument in whole or in part.

28 (n) "Metering device" means a mechanism or system used by a
 29 utility to measure or record the quantity of services received by a
 30 customer.

31 (o) "Public relief or assistance" means any payment made, service
 32 rendered, hospitalization provided, or other benefit extended to a
 33 person by a governmental entity from public funds and includes
 34 **township local** assistance, food stamps, direct relief, unemployment
 35 compensation, and any other form of support or aid.

36 (p) "Recording" means a tangible medium upon which sounds or
 37 visual images are recorded or stored. The term includes the following:

- 38 (1) An original:
 39 (A) phonograph record;
 40 (B) compact disc;
 41 (C) wire;
 42 (D) tape;



- 1 (E) audio cassette;
- 2 (F) video cassette; or
- 3 (G) film.
- 4 (2) Any other medium on which sounds or visual images are or
- 5 can be recorded or otherwise stored.
- 6 (3) A copy or reproduction of an item in subdivision (1) or (2)
- 7 that duplicates an original recording in whole or in part.
- 8 (q) "Slug" means an article or object that is capable of being
- 9 deposited in a coin machine as an improper substitute for a genuine
- 10 coin, bill, or token.
- 11 (r) "Synthetic identifying information" means identifying
- 12 information that identifies:
- 13 (1) a false or fictitious person;
- 14 (2) a person other than the person who is using the information;
- 15 or
- 16 (3) a combination of persons described under subdivisions (1) and
- 17 (2).
- 18 (s) "Utility" means a person who owns or operates, for public use,
- 19 any plant, equipment, property, franchise, or license for the production,
- 20 storage, transmission, sale, or delivery of electricity, water, steam,
- 21 telecommunications, information, or gas.
- 22 (t) "Written instrument" means a paper, a document, or other
- 23 instrument containing written matter and includes money, coins,
- 24 tokens, stamps, seals, credit cards, badges, trademarks, medals, retail
- 25 sales receipts, labels or markings (including a universal product code
- 26 (UPC) or another product identification code), or other objects or
- 27 symbols of value, right, privilege, or identification.
- 28 SECTION 190. IC 35-52-12-9.5, AS ADDED BY P.L.169-2014,
- 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2015]: Sec. 9.5. IC 12-20-1-4 defines a crime concerning
- 31 **township local** assistance.
- 32 SECTION 191. IC 35-52-12-10, AS ADDED BY P.L.169-2014,
- 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2015]: Sec. 10. IC 12-20-7-6 defines a crime concerning
- 35 **township local** assistance.
- 36 SECTION 192. IC 35-52-12-11 IS REPEALED [EFFECTIVE JULY
- 37 1, 2015]. ~~Sec. 11. IC 12-20-25-55 defines a crime concerning township~~
- 38 ~~assistance.~~
- 39 SECTION 193. IC 36-1-1.5-2, AS ADDED BY P.L.234-2013,
- 40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2015]: Sec. 2. As used in this chapter, "eligible municipality"
- 42 means a municipality that:



- 1 (1) includes any territory located in a township for which the
- 2 ~~township local~~ assistance property tax rate for property taxes first
- 3 due and payable in 2015 or in any year thereafter is more than:
- 4 (A) the statewide average ~~township local~~ assistance property
- 5 tax rate for property taxes first due and payable in that same
- 6 year (as determined by the department of local government
- 7 finance); multiplied by
- 8 (B) twelve (12); and
- 9 (2) is adjacent to one (1) or more townships other than the
- 10 township described in subdivision (1).

11 SECTION 194. IC 36-1-1.5-3, AS ADDED BY P.L.234-2013,
 12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 3. As used in this chapter, "~~township~~ "local
 14 assistance property tax rate" has the meaning set forth in
 15 IC 6-1.1-20.3-6.7(a).

16 SECTION 195. IC 36-1-8-5, AS AMENDED BY P.L.1-2007,
 17 SECTION 238, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to all
 19 funds raised by a general or special tax levy on all the taxable property
 20 of a political subdivision.

21 (b) Whenever the purposes of a tax levy have been fulfilled and an
 22 unused and unencumbered balance remains in the fund, the fiscal body
 23 of the political subdivision shall order the balance of that fund to be
 24 transferred as follows, unless a statute provides that it be transferred
 25 otherwise:

26 (1) **Except as provided in subdivision (2), the** funds of a county
 27 **shall be transferred** to the general fund or rainy day fund of the
 28 county, as provided in section 5.1 of this chapter.

29 (2) **This subdivision applies after December 31, 2018. This**
 30 **subdivision applies only to a county not having a consolidated**
 31 **city. The funds of a county for redemption of local assistance**
 32 **obligations shall be transferred to the local assistance fund of**
 33 **the county or rainy day fund of the county, as provided in**
 34 **section 5.1 of this chapter.**

35 (2) (3) **The** funds of a municipality **shall be transferred** to the
 36 general fund or rainy day fund of the municipality, as provided in
 37 section 5.1 of this chapter.

38 (3) (4) **After December 31, 2018, this subdivision applies only**
 39 **to a county having a consolidated city. The** funds of a township
 40 for redemption of ~~township local~~ assistance obligations **shall be**
 41 **transferred** to the ~~township local~~ assistance fund of the township
 42 or rainy day fund of the township, as provided in section 5.1 of



1 this chapter.
 2 ~~(4)~~ **(5)** The funds of any other political subdivision **shall be**
 3 **transferred** to the general fund or rainy day fund of the political
 4 subdivision, as provided in section 5.1 of this chapter. However,
 5 if the political subdivision is dissolved or does not have a general
 6 fund or rainy day fund, then to the general fund of each of the
 7 units located in the political subdivision in the same proportion
 8 that the assessed valuation of the unit bears to the total assessed
 9 valuation of the political subdivision.

10 (c) Whenever an unused and unencumbered balance remains in the
 11 civil township fund of a township and a current tax levy for the fund is
 12 not needed, the township fiscal body may order any part of the balance
 13 of that fund transferred to the debt service fund of the school
 14 corporation located in or partly in the township. However, if more than
 15 one (1) school corporation is located in or partly in the township, then
 16 any sum transferred shall be transferred to the debt service fund of each
 17 of those school corporations in the same proportion that the part of the
 18 assessed valuation of the school corporation in the township bears to
 19 the total assessed valuation of the township.

20 (d) If there is:
 21 (1) an unexpended balance in the debt service fund of any school
 22 township; and
 23 (2) no outstanding bonded or other indebtedness of the school
 24 township to the payment of which the unexpended balance or any
 25 part of the unexpended balance can be legally applied;
 26 the township trustee of the township, with the approval of the township
 27 board, may transfer the unexpended balance in the debt service fund to
 28 the school general fund of the school township.

29 (e) Whenever any township has collected any fund for the special
 30 or specific purpose of erecting or constructing a school building and
 31 the township trustee of the township decides to abandon the proposed
 32 work of erecting or constructing the school building, the township
 33 trustee of the township shall transfer the fund collected for the special
 34 or specific purpose to the township fund of the township, upon the
 35 order of the township board to make the transfer. It is lawful thereafter
 36 to use the funds for any purpose for which the township funds of the
 37 township may be used.

38 (f) Transfers to a political subdivision's rainy day fund may be made
 39 at any time during the political subdivision's fiscal year.

40 SECTION 196. IC 36-1.5-4-40.5, AS ADDED BY P.L.255-2013,
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 40.5. The following apply in the case of a



1 reorganization under this article that includes a township and another
2 political subdivision:
3 (1) If the township borrowed money from a township fund under
4 IC 36-6-6-14(c) to pay the operating expenses of the township fire
5 department or a volunteer fire department before the
6 reorganization:
7 (A) the reorganized political subdivision is not required to
8 repay the entire loan during the following year; and
9 (B) the reorganized political subdivision may repay the loan in
10 installments during the following five (5) years.
11 (2) Except as provided in subdivision (3):
12 (A) the reorganized political subdivision continues to be
13 responsible after the reorganization for providing township
14 services in all areas of the township, including within the
15 territory of a municipality in the township that does not
16 participate in the reorganization; and
17 (B) the reorganized political subdivision retains the powers of
18 a township after the reorganization in order to provide
19 township services as required by clause (A).
20 (3) Powers and duties of the reorganized political subdivision may
21 be transferred as authorized in an interlocal cooperation
22 agreement approved under IC 36-1-7 or as authorized in a
23 cooperative agreement approved under IC 36-1.5-5.
24 (4) If all or part of a municipality in the township is not
25 participating in the reorganization, not less than ten (10) township
26 taxpayers who reside within territory that is not participating in
27 the reorganization may file a petition with the county auditor
28 protesting the reorganized political subdivision's **township local**
29 assistance levy. The petition must be filed not more than thirty
30 (30) days after the reorganized political subdivision finally adopts
31 the reorganized political subdivision's **township local** assistance
32 levy. The petition must state the taxpayers' objections and the
33 reasons why the taxpayers believe the reorganized political
34 subdivision's **township local** assistance levy is excessive or
35 unnecessary. The county auditor shall immediately certify a copy
36 of the petition, together with other data necessary to present the
37 questions involved, to the department of local government
38 finance. Upon receipt of the certified petition and other data, the
39 department of local government finance shall fix a time and place
40 for the hearing of the matter. The hearing shall be held not less
41 than five (5) days and not more than thirty (30) days after the
42 receipt of the certified documents. The hearing shall be held in



1 the county where the petition arose. Notice of the hearing shall be
 2 given by the department of local government finance to the
 3 reorganized political subdivision and to the first ten (10) taxpayer
 4 petitioners listed on the petition by letter. The letter shall be sent
 5 to the first ten (10) taxpayer petitioners at the taxpayers' usual
 6 place of residence at least five (5) days before the date of the
 7 hearing. After the hearing, the department of local government
 8 finance may reduce the reorganized political subdivision's
 9 ~~township~~ **local** assistance levy to the extent that the levy is
 10 excessive or unnecessary. A taxpayer who signed a petition under
 11 this subdivision or a reorganized political subdivision against
 12 which a petition under this subdivision is filed may petition for
 13 judicial review of the final determination of the department of
 14 local government finance under this subdivision. The petition
 15 must be filed in the tax court not more than forty-five (45) days
 16 after the date of the department of local government finance's
 17 final determination.

18 (5) Section 40 of this chapter applies to the debt service levy of
 19 the reorganized political subdivision and to the department of
 20 local government finance's determination of the new maximum
 21 permissible ad valorem property tax levy for the reorganized
 22 political subdivision.

23 (6) The reorganized political subdivision may not borrow money
 24 under IC 36-6-6-14(b) or IC 36-6-6-14(c).

25 (7) The new maximum permissible ad valorem property tax levy
 26 for the reorganized political subdivision's firefighting fund under
 27 IC 36-8-13-4 is equal to:

28 (A) the result of:

29 (i) the maximum permissible ad valorem property tax levy
 30 for the township's firefighting fund under IC 36-8-13-4 in
 31 the year preceding the year in which the reorganization is
 32 effective; multiplied by

33 (ii) the assessed value growth quotient applicable for
 34 property taxes first due and payable in the year in which the
 35 reorganization is effective; plus

36 (B) any amounts borrowed by the township under
 37 IC 36-6-6-14(b) or IC 36-6-6-14(c) in the year preceding the
 38 year in which the reorganization is effective.

39 SECTION 197. IC 36-2-6-4.6 IS ADDED TO THE INDIANA
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2015]: **Sec. 4.6. (a) This section applies after**
 42 **December 31, 2018. This section applies only to a county that does**



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not have a consolidated city.

(b) Notwithstanding IC 5-11-10, the county auditor may make payments for claims payable from the county local assistance fund under IC 12-20-21-6 in advance of allowance by the county executive. Each payment of expenses under this section must be supported by a fully itemized invoice or bill and certification by the county auditor. The county executive shall review and allow the claim at its next regular or special meeting following the preapproved payment of the expense.

SECTION 198. IC 36-2-9-14, AS AMENDED BY P.L.73-2005, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. (a) This section does not apply to funds received from the state or the federal government for ~~township~~ **local** assistance, unemployment relief, or old age pensions or other funds that are available under the federal Social Security Act or a federal statute providing for civil and public works projects.

(b) Except for monies that by statute are due and payable from a county treasury to the state or to a township or municipality of the county, money may be paid from a county treasury only upon a warrant drawn by the auditor.

(c) A warrant may be drawn on a county treasury only if the county fiscal body has made an appropriation for the money for the calendar year in which the warrant is drawn and that appropriation has not been exhausted.

(d) Notwithstanding subsection (c), appropriations by a county fiscal body are not necessary to authorize the drawing of a warrant on and payment from a county treasury for:

- (1) money that belongs to the state and is required by statute to be paid into the state treasury;
- (2) money that belongs to a school fund, whether principal or interest;
- (3) money that belongs to a township or municipality of the county and is required by statute to be paid to the township or municipality;
- (4) money that:
 - (A) is due a person;
 - (B) has been paid into the county treasury under an assessment on persons or property of the county in territory less than that of the whole county; and
 - (C) has been paid for construction, maintenance, or purchase of a public improvement;
- (5) money that is due a person and has been paid into the county



- 1 treasury to redeem property from a tax sale or other forced sale;
- 2 (6) money that is due a person and has been paid to the county
- 3 under law as a tender or payment to the person;
- 4 (7) taxes erroneously paid;
- 5 (8) money paid to a cemetery board under IC 23-14-65-22;
- 6 (9) money distributed under IC 23-14-70-3; or
- 7 (10) payments under a statute that expressly provides for
- 8 payments from the county treasury without appropriations by the
- 9 county fiscal body.
- 10 (e) An auditor who knowingly violates this section commits a Class
- 11 A misdemeanor.
- 12 SECTION 199. IC 36-2-9.5-9, AS ADDED BY P.L.227-2005,
- 13 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2015]: Sec. 9. (a) This section does not apply to:
- 15 (1) funds received from the state or the federal government for:
- 16 (A) ~~township~~ local assistance;
- 17 (B) unemployment relief; or
- 18 (C) old age pensions; or
- 19 (2) other funds available under:
- 20 (A) the federal Social Security Act; or
- 21 (B) another federal statute providing for civil and public works
- 22 projects.
- 23 (b) Except for money that by statute is due and payable from the
- 24 county or city treasury to:
- 25 (1) the state; or
- 26 (2) a township or municipality in the county;
- 27 money may be paid from the county or city treasury only upon a
- 28 warrant drawn by the county auditor.
- 29 (c) A warrant may be drawn on the county or city treasury only if:
- 30 (1) the legislative body of the consolidated city made an
- 31 appropriation of the money for the calendar year in which the
- 32 warrant is drawn; and
- 33 (2) the appropriation is not exhausted.
- 34 (d) Notwithstanding subsection (c), an appropriation by the
- 35 legislative body is not necessary to authorize the drawing of a warrant
- 36 on and payment from the county or city treasury for:
- 37 (1) money that:
- 38 (A) belongs to the state; and
- 39 (B) is required by statute to be paid into the state treasury;
- 40 (2) money that belongs to a school fund, whether principal or
- 41 interest;
- 42 (3) money that:



- 1 (A) belongs to a township or municipality in the county; and
- 2 (B) is required by statute to be paid to the township or
- 3 municipality;
- 4 (4) money that:
- 5 (A) is due a person;
- 6 (B) is paid into the county or city treasury under an assessment
- 7 on persons or property of the county in territory less than that
- 8 of the whole county; and
- 9 (C) is paid for construction, maintenance, or purchase of a
- 10 public improvement;
- 11 (5) money that is due a person and is paid into the county treasury
- 12 to redeem property from a tax sale or other forced sale;
- 13 (6) money that is due a person and is paid to the county or city
- 14 under law as a tender or payment to the person;
- 15 (7) taxes erroneously paid;
- 16 (8) money paid to a cemetery board under IC 23-14-65-22;
- 17 (9) money distributed under IC 23-14-70-3; or
- 18 (10) payments under a statute that expressly provides for
- 19 payments from the county or city treasury without appropriation
- 20 by the legislative body.

21 (e) A county auditor who knowingly violates this section commits
 22 a Class A misdemeanor.

23 SECTION 200. IC 36-2-21 IS ADDED TO THE INDIANA CODE
 24 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]:

26 **Chapter 21. County Fire Protection Duties**

27 **Sec. 1. This chapter applies only to a county not having a**
 28 **consolidated city.**

29 **Sec. 2. Beginning January 1, 2019:**

- 30 (1) the county executive is responsible for providing fire
- 31 protection and emergency services in the unincorporated
- 32 areas of the county as provided in the county's fire protection
- 33 and emergency services plan adopted under IC 36-8-13.6; and
- 34 (2) the powers and duties of township government and the
- 35 township trustee related to providing fire protection and
- 36 emergency services in the unincorporated areas of the county
- 37 are transferred to the county.

38 **Sec. 3. After December 31, 2018, fire protection and emergency**
 39 **services in an unincorporated area of a county are governed by and**
 40 **subject to a county fire protection and emergency services plan**
 41 **adopted by the county legislative body under IC 36-8-13.6.**

42 **Sec. 4. In carrying out fire protection and emergency services**



1 responsibilities under section 3 of this chapter, the county executive
 2 shall, as provided in the county's fire protection and emergency
 3 services plan adopted under IC 36-8-13.6, provide for fire
 4 protection and emergency services in the unincorporated areas of
 5 the county through any combination of:

- 6 (1) operating a county fire department;
 7 (2) contracting with or otherwise cooperating with any
 8 municipality, county, fire protection district, volunteer fire
 9 department, fire protection territory, or other entity; or
 10 (3) entering into mutual aid agreements.

11 SECTION 201. IC 36-6-1.2 IS ADDED TO THE INDIANA CODE
 12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]:

14 **Chapter 1.2. Dissolution of Township Government; Transfer of**
 15 **Duties and Responsibilities; Transfer of Property**

16 **Sec. 1. This chapter applies only to a county not having a**
 17 **consolidated city.**

18 **Sec. 2. On January 1, 2019, all township governments in**
 19 **counties not having a consolidated city are dissolved and the**
 20 **township government responsibilities and duties are transferred to**
 21 **the county.**

22 **Sec. 3. (a) The abolishment of the office of a township trustee,**
 23 **township board, and township assessor (if any) under this chapter**
 24 **does not invalidate:**

- 25 (1) any resolutions, fees, schedules, or other actions adopted
 26 or taken by the township trustee or township assessor before
 27 January 1, 2019; or
 28 (2) any appointments made by the township trustee or
 29 township assessor before January 1, 2019.

30 (b) In a county in which a township trustee, township board, or
 31 township assessor is abolished under this chapter, after December
 32 31, 2018, any reference:

- 33 (1) in the Indiana Code;
 34 (2) in the Indiana Administrative Code; or
 35 (3) in any resolution;

36 to the township trustee and township board is considered a
 37 reference to the county executive and county fiscal body
 38 respectively, and any reference to the township assessor is
 39 considered a reference to the county assessor.

40 (c) On January 1, 2019, all:

- 41 (1) assets;
 42 (2) debts;



1 (3) property rights;
2 (4) equipment;
3 (5) records;
4 (6) personnel; and
5 (7) contracts;
6 connected with the operations of a township government in the
7 county related to township government functions are transferred
8 to the county executive.

9 (d) Notwithstanding subsection (c)(6), the county executive shall
10 determine which transferring township employees who were
11 employed by the township before January 1, 2019, to perform
12 township functions that were transferred to the county under this
13 chapter, become county employees responsible for performing
14 township functions that were transferred to the county under this
15 chapter after December 31, 2018.

16 Sec. 4. (a) Except as provided in subsection (b), the balance on
17 January 1, 2019, in a debt service fund related to fire protection of
18 a township located in the county:
19 (1) is transferred to the county in which the township is
20 located; and
21 (2) shall be used by the county to pay indebtedness or lease
22 rentals for which the fund was established.

23 Any balance remaining in the fund after all payments for
24 indebtedness or lease rentals required under this section have been
25 made is transferred to the county general fund.

26 (b) The balance on January 1, 2019, in a debt service fund
27 related to fire protection of a township that is wholly contained
28 within a fire protection district as of December 31, 2019:
29 (1) is transferred to the county in which the township is
30 wholly contained; and
31 (2) shall be used by the fire protection district to pay
32 indebtedness or lease rentals for which the fund was
33 established.

34 Any balance remaining in the fund after all payments for
35 indebtedness or lease rentals required under this section have been
36 made is transferred to the county general fund.

37 (c) The balance on January 1, 2019, in a debt service fund
38 related to township functions other than those specified under
39 subsection (a) or (b):
40 (1) is transferred to the county in which the township is
41 located; and
42 (2) shall be used by the county to pay indebtedness or lease



1 rentals for which the fund was established.

2 Any balance remaining in the fund after all payments for
3 indebtedness or lease rentals required under this section have been
4 made is transferred to the county general fund.

5 Sec. 5. (a) On January 1, 2019, the balance in the general fund
6 of a township in the county attributable to the duties of the
7 township trustee under IC 36-6-4-3 is transferred to the county.

8 (b) The department of local government finance shall determine
9 the amounts to be transferred under subsection (a).

10 (c) IC 36-1-8-5 does not apply to a balance referred to in
11 subsection (a).

12 Sec. 6. (a) The balance in the local assistance fund of a township
13 in the county attributable to the duties of the township trustee on
14 January 1, 2019:

15 (1) is transferred to the county executive; and

16 (2) shall be deposited in the local assistance fund of the county
17 established under IC 12-20-21-6.

18 (b) The department of local government finance shall determine
19 the amounts to be transferred under this section.

20 (c) IC 36-1-8-5 does not apply to a balance referred to in this
21 section.

22 Sec. 7. Indebtedness that was incurred by a township before the
23 township government is abolished under this chapter:

24 (1) may not be imposed on taxpayers that were not
25 responsible for payment of the indebtedness before the
26 abolishment of the township government; and

27 (2) must be paid by the taxpayers that were responsible for
28 payment of the indebtedness before the abolishment of the
29 township government.

30 Sec. 8. The department of local government finance shall adjust
31 maximum permissible property tax levies and property tax rates
32 of units of local government as necessary to account for transfers
33 of duties, powers, and obligations under this chapter.

34 SECTION 202. IC 36-6-1.5-1, AS ADDED BY P.L.240-2005,
35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 1. (a) This chapter does not apply to a township
37 in a county containing a consolidated city.

38 (b) This chapter expires January 1, 2019.

39 SECTION 203. IC 36-6-1.6-11, IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2015]: Sec. 11. This chapter expires January
42 1, 2019.



1 SECTION 204. IC 36-6-4-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies
 3 to all townships. as follows:

4 (1) Before January 1, 2019, this chapter applies to all
 5 townships.

6 (2) After December 31, 2018, this chapter applies only to
 7 townships in a county having a consolidated city.

8 SECTION 205. IC 36-6-4-11, AS AMENDED BY P.L.73-2005,
 9 SECTION 174, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) At the township legislative
 11 body's annual meeting under IC 36-6-6-11, the executive shall:

12 (1) present an itemized written statement of the estimated
 13 expenditures for which appropriations are requested, specifying:

14 (A) the number of teachers employed;

15 (B) the salary of each teacher employed;

16 (C) the property of the township (and supplies on hand);

17 (D) the estimated value of the property of the township (and
 18 supplies on hand);

19 (E) the supplies necessary for each school; and

20 (F) the need for township local assistance in the township; and

21 (2) submit to questions from the legislative body or taxpayers
 22 concerning expenditures of the township.

23 (b) The written statement required under subsection (a)(1) must
 24 comply with forms prescribed by the state board of accounts and show
 25 the amount of each item to be charged against township funds.

26 SECTION 206. IC 36-6-5-1, AS AMENDED BY P.L.1-2009,
 27 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Subject to subsection (g),
 29 before 2009, a township assessor shall be elected under IC 3-10-2-13
 30 by the voters of each township:

31 (1) having:

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

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

35 (2) in which the number of parcels of real property on January 1,
 36 2008, is at least fifteen thousand (15,000).

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

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

42 (A) the legislative body of the township, by resolution,



- 1 declares that the office of township assessor is necessary; and
 2 (B) the resolution is filed with the county election board not
 3 later than the first date that a declaration of candidacy may be
 4 filed under IC 3-8-2; and
 5 (2) in which the number of parcels of real property on January 1,
 6 2008, is at least fifteen thousand (15,000).
 7 (c) Subject to subsection (g), a township government that is created
 8 by merger under IC 36-6-1.5 shall elect only one (1) township assessor
 9 under this section. **This subsection expires on January 1, 2019.**
 10 (d) Subject to subsection (g), after 2008 a township assessor shall
 11 be elected under IC 3-10-2-13 only by the voters of each township in
 12 which:
 13 (1) the number of parcels of real property on January 1, 2008, is
 14 at least fifteen thousand (15,000); and
 15 (2) the transfer to the county assessor of the assessment duties
 16 prescribed by IC 6-1.1 is disapproved in the referendum under
 17 IC 36-2-15.
 18 (e) The township assessor must reside within the township as
 19 provided in Article 6, Section 6 of the Constitution of the State of
 20 Indiana. The assessor forfeits office if the assessor ceases to be a
 21 resident of the township.
 22 (f) The term of office of a township assessor is four (4) years,
 23 beginning January 1 after election and continuing until a successor is
 24 elected and qualified. However, the term of office of a township
 25 assessor elected at a general election in which no other township
 26 officer is elected ends on December 31 after the next election in which
 27 any other township officer is elected.
 28 (g) A person who runs for the office of township assessor in an
 29 election after June 30, 2008, is subject to IC 3-8-1-23.6.
 30 (h) After June 30, 2008, the county assessor shall perform the
 31 assessment duties prescribed by IC 6-1.1 in a township in which the
 32 number of parcels of real property on January 1, 2008, is less than
 33 fifteen thousand (15,000).
 34 **(i) Notwithstanding any other law, on January 1, 2019, in the**
 35 **case of a county that has a township assessor:**
 36 **(1) the powers and duties of the township assessor are**
 37 **transferred to the county assessor;**
 38 **(2) the office of township assessor is eliminated; and**
 39 **(3) the term of any township assessor is terminated.**
 40 **The transfer of powers and duties under this subsection does not**
 41 **affect any assessment, assessment appeal, or other official action**
 42 **of a township assessor relating to property assessment made before**



1 the transfer of powers and duties of the township assessor. Any
 2 assessment, assessment appeal, or other official action made by a
 3 township assessor within the scope of the township assessor's
 4 official duties under IC 6-1.1 or this chapter before the transfer of
 5 powers and duties to the county assessor is considered to have been
 6 made by the county assessor.

7 (j) Each township assessor whose powers and duties are
 8 transferred to the county assessor under subsection (i) shall
 9 organize the records of the township assessor's office relating to
 10 those duties in a manner prescribed by the department of local
 11 government finance and transfer the records to the county assessor
 12 in the manner and at the time directed by the department of local
 13 government finance. The department of local government finance
 14 shall determine a procedure and schedule for the transfer of the
 15 records. A township assessor whose powers and duties are
 16 transferred to the county assessor under subsection (i) and the
 17 county assessor to whom the powers and duties are transferred
 18 shall assist each other and coordinate their efforts to ensure an
 19 orderly transfer of all township assessor records to the county
 20 assessor and to provide for an uninterrupted and professional
 21 transition of powers and duties from the township assessor to the
 22 county assessor consistent with the directions of the department of
 23 local government finance.

24 SECTION 207. IC 36-6-6-1 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) This chapter
 26 applies to all townships.

27 (b) After December 31, 2018, this chapter does not apply to a
 28 county not having a consolidated city.

29 SECTION 208. IC 36-6-6-2.1, AS ADDED BY P.L.240-2005,
 30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 2.1. (a) This section applies if township
 32 governments merge under IC 36-6-1.5.

33 (b) If two (2) township governments merge, the resulting merged
 34 township government shall elect a three (3) member township board.
 35 The voters of the resulting merged township government shall elect all
 36 the members of the township board. One (1) member must reside
 37 within the boundaries of each of the township governments that
 38 merged.

39 (c) If at least three (3) township governments merge, the resulting
 40 merged township government shall elect a township board that has the
 41 same number of members as the number of township governments that
 42 merged. The voters of the resulting merged township shall elect all the



1 members of the township board. One (1) township board member must
 2 reside within the boundaries of each of the townships that merged.

3 **(d) This section expires January 1, 2019.**

4 SECTION 209. IC 36-6-6-3, AS AMENDED BY P.L.240-2005,
 5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 3. (a) This subsection applies to townships in a
 7 county containing a consolidated city. One (1) member of the
 8 legislative body must reside within each legislative body district. If a
 9 member of the legislative body ceases to be a resident of the district
 10 from which the member was elected, the office becomes vacant.

11 (b) This subsection applies to townships not included in subsection
 12 (a) or (c). A member of the legislative body must reside within the
 13 township as provided in Article 6, Section 6 of the Constitution of the
 14 State of Indiana. If a member of the legislative body ceases to be a
 15 resident of the township, the office becomes vacant.

16 (c) This subsection applies to a township government that:

17 (1) is created by a merger of township governments under
 18 IC 36-6-1.5; and

19 (2) elects a township board under section 2.1 of this chapter.

20 One (1) member of the legislative body must reside within the
 21 boundaries of each of the former townships that merged. If a member
 22 of the legislative body ceases to be a resident of that former township,
 23 the office becomes vacant. **This subsection expires January 1, 2019.**

24 SECTION 210. IC 36-6-6-4, AS AMENDED BY P.L.266-2013,
 25 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 4. (a) Except as provided in subsections (b) and
 27 (c), two (2) members of the legislative body constitute a quorum.

28 (b) Before January 1, 2017, four (4) members of the legislative body
 29 in a county containing a consolidated city constitute a quorum. After
 30 December 31, 2016, three (3) members of the legislative body in a
 31 county having a consolidated city constitute a quorum.

32 (c) This subsection applies to a township government that:

33 (1) is created by a merger of township governments under
 34 IC 36-6-1.5; and

35 (2) elects a township board under section 2.1 of this chapter.

36 A majority of the members of the legislative body constitute a quorum.
 37 If a township board has an even number of members, the township
 38 executive shall serve as an ex officio member of the township board for
 39 the purpose of casting the deciding vote to break a tie. **This subsection
 40 expires January 1, 2019.**

41 SECTION 211. IC 36-6-6.2 IS ADDED TO THE INDIANA CODE
 42 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]:

2 **Chapter 6.2. Transfer of Township Powers and Duties in**
 3 **Counties Other Than Marion County; Transfer of Property**

4 **Sec. 1. (a) This chapter applies after December 31, 2018.**

5 **(b) This chapter applies only to a county not having a**
 6 **consolidated city.**

7 **Sec. 2. (a) After December 31, 2018, fire protection and**
 8 **emergency services in an unincorporated area of a county are**
 9 **governed by and subject to a county fire protection and emergency**
 10 **services plan adopted under IC 36-8-13.6.**

11 **(b) After December 31, 2018, certain other township powers and**
 12 **responsibilities are transferred as otherwise specified by law.**

13 **Sec. 3. (a) On January 1, 2019, all:**

- 14 (1) assets;
 15 (2) debts;
 16 (3) property rights;
 17 (4) equipment;
 18 (5) records;
 19 (6) personnel; and
 20 (7) contracts;

21 **of a township government are transferred to the county. To the**
 22 **extent that the township and the county cannot agree on the**
 23 **transfers under this subsection, the department of local**
 24 **government finance shall make the final determination.**

25 **(b) If, as of December 31, 2019, a township has a local board for**
 26 **the 1937 firefighters' pension fund or the 1977 police officers' and**
 27 **firefighters' pension and disability fund, the local board is**
 28 **dissolved on January 1, 2019, and the powers, duties, and**
 29 **responsibilities of the local board under IC 36-8-7 or IC 36-8-8,**
 30 **respectively, are assumed by the county's local board for the 1937**
 31 **firefighters' pension fund and local board for the 1977 police**
 32 **officers' and firefighters' pension and disability fund, respectively.**
 33 **Notwithstanding any other provision, the legislative body of the**
 34 **county may adopt an ordinance to adjust the membership of the**
 35 **county's local board to reflect the dissolution of the township's**
 36 **local board.**

37 **(c) As necessary, a county shall levy taxes (within the county's**
 38 **maximum permissible ad valorem property tax levy limit) as**
 39 **necessary to provide for the payment of pension benefits:**

- 40 (1) to members of the 1937 firefighters' pension fund; and
 41 (2) for which, before the transfer of fire protection
 42 responsibilities to counties under IC 36-2-21 and IC 36-8-13.7



- 1 (effective January 1, 2015), the local board of a township in
 2 the county was responsible.
- 3 **Sec. 4. (a) Effective January 1, 2019, the county shall assume,**
 4 **defease, pay, or refund all township indebtedness or lease rental**
 5 **obligations related to a power or duty transferred to the county.**
 6 **The county may levy property taxes to pay township indebtedness**
 7 **or lease rental obligations incurred by a township only in the**
 8 **geographic area of the township that originally issued the debt or**
 9 **entered into the lease rental agreement. The former territory of the**
 10 **township comprises a taxing district for the payment of township**
 11 **indebtedness or lease rental obligations existing at the time of the**
 12 **abolition or alteration.**
- 13 **(b) Notwithstanding any other law, to assume, defease, pay, or**
 14 **refund all or a part of the indebtedness or lease rental obligations**
 15 **described in subsection (a), the county is not required to comply**
 16 **with any other statutory procedures or approvals that apply when**
 17 **a unit incurs indebtedness or lease rental obligations.**
- 18 **(c) The rights of a trustee, bondholder, or leaseholder with**
 19 **respect to any:**
- 20 **(1) indebtedness or lease rental obligations described in**
 21 **subsection (a); or**
- 22 **(2) bond resolution, trust agreement or indenture, security**
 23 **agreement, purchase agreement, or other undertaking with**
 24 **respect to indebtedness described in subsection (a);**
 25 **remain the same, although the powers, duties, agreements, and**
 26 **liabilities of the townships have been transferred to the county, and**
 27 **the county shall be considered to have assumed all those powers,**
 28 **duties, agreements, and liabilities.**
- 29 **Sec. 5. (a) On January 1, 2019, the balance in the general fund**
 30 **of a township in the county shall be transferred to the county.**
- 31 **(b) IC 36-1-8-5 does not apply to a balance referred to in**
 32 **subsection (a).**
- 33 **Sec. 6. (a) On January 1, 2019, the balance in the local assistance**
 34 **fund of a township in the county attributable to the duties of the**
 35 **township trustee:**
- 36 **(1) is transferred to the county; and**
 37 **(2) shall be deposited in the local assistance fund of the county**
 38 **established under IC 12-20-21-6.**
- 39 **(b) IC 36-1-8-5 does not apply to a balance referred to in**
 40 **subsection (a).**
- 41 **Sec. 7. Beginning January 1, 2019, and notwithstanding any**
 42 **other law to the contrary, any revenue from a local income tax for**



1 public safety under IC 6-3.5-1.1-25 or IC 6-3.5-6-31 that the
2 township would otherwise receive shall instead be paid to the
3 county.

4 Sec. 8. The department of local government finance shall adjust
5 maximum permissible property tax levies and property tax rates
6 of units of local government as necessary to account for transfers
7 of duties, powers, and obligations to the county.

8 SECTION 212. IC 36-7-4-208, AS AMENDED BY P.L.126-2011,
9 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2015]: Sec. 208. (a) ADVISORY. The county plan
11 commission consists of nine (9) members, as follows:

12 (1) One (1) member appointed by the county executive from its
13 membership.

14 (2) One (1) member appointed by the county fiscal body from its
15 membership.

16 (3) The county surveyor or the county surveyor's designee.

17 (4) The county agricultural extension educator. However, if the
18 county does not have a county agricultural extension educator, the
19 county extension board shall select a resident of the county who
20 is a property owner with agricultural interest to serve on the
21 commission under this subdivision for a period not to exceed one
22 (1) year.

23 (5) Five (5) members appointed in accordance with one (1) of the
24 following:

25 (A) Four (4) citizen members, of whom no more than two (2)
26 may be of the same political party. Each of the four (4)
27 members must be:

- 28 (i) a resident of an unincorporated area of the county; or
- 29 (ii) a resident of the county who is also an owner of real
30 property located in whole or in part in an unincorporated
31 area of the county;

32 appointed by the county executive. However, at least two (2)
33 of the citizen members must be residents of the unincorporated
34 area of the county. Also one (1) township trustee, who must be
35 a resident of an unincorporated area of the county appointed
36 by the county executive upon the recommendation of the
37 township trustees whose townships are within the jurisdiction
38 of the county plan commission. **This clause expires January
39 1, 2019.**

40 (B) Five (5) citizen members, of whom not more than three (3)
41 may be of the same political party. Each of the five (5)
42 members must be:



- 1 (i) a resident of an unincorporated area of the county; or
- 2 (ii) a resident of the county who is also an owner of real
- 3 property located in whole or in part in an unincorporated
- 4 area of the county;
- 5 appointed by the county executive. However at least three (3)
- 6 members must be residents of the unincorporated area of the
- 7 county.
- 8 If a county executive changes the plan commission from having
- 9 members described in clause (B) to having members described in
- 10 clause (A), the county executive shall appoint a township trustee
- 11 to replace the first citizen member whose term expires and who
- 12 belongs to the same political party as the township trustee. Each
- 13 member appointed to the commission is entitled to receive
- 14 compensation for mileage at the same rate and the same
- 15 compensation for services as a member of a county executive, a
- 16 member of a county fiscal body, a county surveyor, or an
- 17 appointee of a county surveyor receives for serving on the
- 18 commission, as set forth in section 222.5 of this chapter.
- 19 (b) ADVISORY. The metropolitan plan commission consists of nine
- 20 (9) members, as follows:
 - 21 (1) One (1) member appointed by the county legislative body
 - 22 from its membership.
 - 23 (2) One (1) member appointed by the second class city legislative
 - 24 body from its membership.
 - 25 (3) Three (3) citizen members who:
 - 26 (A) reside in an unincorporated area of the county; or
 - 27 (B) reside in the county and also own real property located in
 - 28 whole or in part in an unincorporated area of the county;
 - 29 of whom no more than two (2) may be of the same political party,
 - 30 appointed by the county legislative body. One (1) of these
 - 31 members must be actively engaged in farming.
 - 32 (4) Four (4) citizen members, of whom no more than two (2) may
 - 33 be of the same political party, appointed by the second class city
 - 34 executive. One (1) of these members must be from the
 - 35 metropolitan school authority or community school corporation
 - 36 and a resident of that school district, and the other three (3)
 - 37 members must be residents of the second class city.
 - 38 (c) AREA. When there are six (6) county representatives, they are
 - 39 as follows:
 - 40 (1) One (1) member appointed by the county executive from its
 - 41 membership.
 - 42 (2) One (1) member appointed by the county fiscal body from its



1 membership.

2 (3) The county superintendent of schools, or if that office does not

3 exist, a representative appointed by the school corporation

4 superintendents within the jurisdiction of the area plan

5 commission.

6 (4) One (1) of the following appointed by the county executive:

7 (A) The county agricultural extension educator.

8 (B) The county surveyor or the county surveyor's designee.

9 (5) One (1) citizen member who is:

10 (A) a resident of the unincorporated area of the county; or

11 (B) a resident of the county who is also an owner of real

12 property located in whole or in part in the unincorporated area

13 of the county;

14 appointed by the county executive.

15 (6) One (1) citizen member who is:

16 (A) a resident of the unincorporated area of the county; or

17 (B) a resident of the county who is also an owner of real

18 property located in whole or in part in the unincorporated area

19 of the county;

20 appointed by the county fiscal body.

21 (d) AREA. When there are five (5) county representatives, they are

22 the representatives listed or appointed under subsection (c)(3), (c)(4),

23 (c)(5), and (c)(6) and:

24 (1) the county surveyor or the county surveyor's designee if the

25 county executive appoints the county agricultural extension

26 educator under subsection (c)(4); or

27 (2) the county agricultural extension educator if the county

28 executive appoints the county surveyor under subsection (c)(4).

29 SECTION 213. IC 36-8-3-1 IS AMENDED TO READ AS

30 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies

31 to:

32 (1) second and third class cities; **and**

33 (2) **after December 31, 2018, counties not having a**

34 **consolidated city (for purposes of the county fire department).**

35 It also applies to other units, where specifically indicated.

36 SECTION 214. IC 36-8-3-1.5 IS ADDED TO THE INDIANA

37 CODE AS A NEW SECTION TO READ AS FOLLOWS

38 [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. (a) This section does not**

39 **apply to a county having a consolidated city.**

40 (b) **After December 31, 2018, if a county establishes a county**

41 **fire department, the county legislative body may by ordinance**

42 **establish a safety board for purposes of the county fire department,**



1 with the members to be appointed by the county executive.

2 (c) After December 31, 2018, a safety board described in this
3 section has the same powers and duties under this chapter for
4 purposes of the county fire department as a municipal safety board
5 has under this chapter for purposes of a municipal fire
6 department.

7 SECTION 215. IC 36-8-3.5-1.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. (a) This section does not**
10 **apply to a county having a consolidated city.**

11 (b) In the case of a county to which firefighting duties and
12 responsibilities are transferred from townships to the county after
13 December 31, 2018, the county may establish a merit system under
14 this chapter for the county fire department.

15 SECTION 216. IC 36-8-7-1, AS AMENDED BY P.L.227-2005,
16 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 1. (a) This chapter applies to pension benefits for
18 members of fire departments hired before May 1, 1977, in units for
19 which a 1937 fund was established before May 1, 1977.

20 (b) A firefighter with twenty (20) years of service is covered by this
21 chapter and not by IC 36-8-8 if the firefighter:

- 22 (1) was hired before May 1, 1977;
23 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
24 1981); and
25 (3) is rehired after April 30, 1977, by the same employer.

26 (c) A firefighter is covered by this chapter and not by IC 36-8-8 if
27 the firefighter:

- 28 (1) was hired before May 1, 1977;
29 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
30 1981);
31 (3) was rehired after April 30, 1977, but before February 1, 1979;
32 and
33 (4) was made, before February 1, 1979, a member of a 1937 fund.

34 (d) A firefighter who:

- 35 (1) is covered by this chapter before a consolidation under
36 IC 36-3-1-6.1; and
37 (2) becomes a member of a fire department of a consolidated city
38 under IC 36-3-1-6.1;

39 is covered by this chapter after the effective date of the consolidation,
40 and the firefighter's service as a member of a fire department of a
41 consolidated city is considered active service under this chapter.

42 (e) A firefighter who:



1 **(1) as of December 31, 2018, is a member of the 1937 fund as**
 2 **a firefighter with a township fire department, fire protection**
 3 **territory, or fire protection district within a county; and**
 4 **(2) after the transfer of fire protection responsibilities to**
 5 **counties under IC 36-2-21 and IC 36-8-13.7 (effective January**
 6 **1, 2019) becomes a member of the county fire department or**
 7 **a fire protection territory or fire protection district within the**
 8 **county;**
 9 **is covered by this chapter after the firefighter becomes a member**
 10 **of the county fire department, and the firefighter's service as a**
 11 **member of a township fire department, fire protection territory, or**
 12 **fire protection district that was covered under this chapter before**
 13 **January 1, 2019, is considered active service under this chapter.**

14 SECTION 217. IC 36-8-8-1, AS AMENDED BY P.L.119-2012,
 15 SECTION 218, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies to:

- 17 (1) full-time police officers hired or rehired after April 30, 1977,
 18 in all municipalities, or who converted their benefits under
 19 IC 19-1-17.8-7 (repealed September 1, 1981);
 20 (2) full-time fully paid firefighters hired or rehired after April 30,
 21 1977, or who converted their benefits under IC 19-1-36.5-7
 22 (repealed September 1, 1981);
 23 (3) a police matron hired or rehired after April 30, 1977, and
 24 before July 1, 1996, who is a member of a police department in a
 25 second or third class city on March 31, 1996;
 26 (4) a park ranger who:
 27 (A) completed at least the number of weeks of training at the
 28 Indiana law enforcement academy or a comparable law
 29 enforcement academy in another state that were required at the
 30 time the park ranger attended the Indiana law enforcement
 31 academy or the law enforcement academy in another state;
 32 (B) graduated from the Indiana law enforcement academy or
 33 a comparable law enforcement academy in another state; and
 34 (C) is employed by the parks department of a city having a
 35 population of more than one hundred ~~ten~~ **twenty** thousand
 36 ~~(110,000)~~ **(120,000)** but less than one hundred fifty thousand
 37 (150,000);
 38 (5) a full-time fully paid firefighter who is covered by this chapter
 39 before the effective date of consolidation and becomes a member
 40 of the fire department of a consolidated city under IC 36-3-1-6.1,
 41 provided that the firefighter's service as a member of the fire
 42 department of a consolidated city is considered active service



1 under this chapter;
2 (6) except as otherwise provided, a full-time fully paid firefighter
3 who is hired or rehired after the effective date of the consolidation
4 by a consolidated fire department established under
5 IC 36-3-1-6.1;
6 (7) a full-time police officer who is covered by this chapter before
7 the effective date of consolidation and becomes a member of the
8 consolidated law enforcement department as part of the
9 consolidation under IC 36-3-1-5.1, provided that the officer's
10 service as a member of the consolidated law enforcement
11 department is considered active service under this chapter; ~~and~~
12 (8) except as otherwise provided, a full-time police officer who is
13 hired or rehired after the effective date of the consolidation by a
14 consolidated law enforcement department established under
15 IC 36-3-1-5.1; **and**
16 **(9) a full-time, fully paid firefighter who:**
17 **(A) as of December 31, 2019, is a member of the 1977 fund**
18 **as a firefighter with a township fire department, fire**
19 **protection territory, or fire protection district within a**
20 **county; and**
21 **(B) after the transfer of fire protection responsibilities to**
22 **counties under IC 36-2-21 and IC 36-8-13.7 (effective**
23 **January 1, 2019) becomes a member of the county fire**
24 **department, a fire protection territory, or fire protection**
25 **district within the county;**
26 except as provided by section 7 of this chapter.
27 SECTION 218. IC 36-8-8-2.1 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2.1. (a) As used in this
29 chapter, "local board" means the following:
30 (1) For a unit that established a 1925 fund for its police officers,
31 the local board described in IC 36-8-6-2.
32 (2) **Except as provided in subdivision (3),** for a unit that
33 established a 1937 fund for its firefighters, the local board
34 described in IC 36-8-7-3.
35 **(3) This subdivision does not apply to a township in a county**
36 **having a consolidated city. For a township that established a**
37 **1937 fund for its firefighters, "local board", after December**
38 **31, 2018, means the local board of the county.**
39 ~~(3)~~ (4) For a consolidated city that established a 1953 fund for its
40 police officers, the local board described in IC 36-8-7.5-2.
41 ~~(4)~~ (5) For a unit, other than a consolidated city, that did not
42 establish a 1925 fund for its police officers or a 1937 fund for its



1 firefighters, the local board described in subsection (b) or (c).
 2 (b) If a unit did not establish a 1925 fund for its police officers, a
 3 local board shall be composed in the same manner described in
 4 IC 36-8-6-2(b). However, if there is not a retired member of the
 5 department, no one shall be appointed to that position until such time
 6 as there is a retired member.

7 (c) If a unit did not establish a 1937 fund for its firefighters, a local
 8 board shall be composed in the same manner described in
 9 IC 36-8-7-3(b). However, if there is not a retired member of the
 10 department, no one shall be appointed to that position until such time
 11 as there is a retired member.

12 SECTION 219. IC 36-8-8-7, AS AMENDED BY P.L.117-2013,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 7. (a) Except as provided in subsections (d), (e),
 15 (f), (g), (h), (k), (l), and ~~(m)~~: **(n)**:

16 (1) a police officer; or
 17 (2) a firefighter;
 18 who is less than thirty-six (36) years of age and who passes the baseline
 19 statewide physical and mental examinations required under section 19
 20 of this chapter shall be a member of the 1977 fund and is not a member
 21 of the 1925 fund, the 1937 fund, or the 1953 fund.

22 (b) A police officer or firefighter with service before May 1, 1977,
 23 who is hired or rehired after April 30, 1977, may receive credit under
 24 this chapter for service as a police officer or firefighter prior to entry
 25 into the 1977 fund if the employer who rehires the police officer or
 26 firefighter chooses to contribute to the 1977 fund the amount necessary
 27 to amortize the police officer's or firefighter's prior service liability over
 28 a period of not more than forty (40) years, the amount and the period
 29 to be determined by the system board. If the employer chooses to make
 30 the contributions, the police officer or firefighter is entitled to receive
 31 credit for the police officer's or firefighter's prior years of service
 32 without making contributions to the 1977 fund for that prior service. In
 33 no event may a police officer or firefighter receive credit for prior years
 34 of service if the police officer or firefighter is receiving a benefit or is
 35 entitled to receive a benefit in the future from any other public pension
 36 plan with respect to the prior years of service.

37 (c) Except as provided in section 18 of this chapter, a police officer
 38 or firefighter is entitled to credit for all years of service after April 30,
 39 1977, with the police or fire department of an employer covered by this
 40 chapter.

41 (d) A police officer or firefighter with twenty (20) years of service
 42 does not become a member of the 1977 fund and is not covered by this



- 1 chapter, if the police officer or firefighter:
 2 (1) was hired before May 1, 1977;
 3 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both
 4 of which were repealed September 1, 1981); and
 5 (3) is rehired after April 30, 1977, by the same employer.
- 6 (e) A police officer or firefighter does not become a member of the
 7 1977 fund and is not covered by this chapter if the police officer or
 8 firefighter:
 9 (1) was hired before May 1, 1977;
 10 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both
 11 of which were repealed September 1, 1981);
 12 (3) was rehired after April 30, 1977, but before February 1, 1979;
 13 and
 14 (4) was made, before February 1, 1979, a member of a 1925,
 15 1937, or 1953 fund.
- 16 (f) A police officer or firefighter does not become a member of the
 17 1977 fund and is not covered by this chapter if the police officer or
 18 firefighter:
 19 (1) was hired by the police or fire department of a unit before May
 20 1, 1977;
 21 (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both
 22 of which were repealed September 1, 1981);
 23 (3) is rehired by the police or fire department of another unit after
 24 December 31, 1981; and
 25 (4) is made, by the fiscal body of the other unit after December
 26 31, 1981, a member of a 1925, 1937, or 1953 fund of the other
 27 unit.
- 28 If the police officer or firefighter is made a member of a 1925, 1937, or
 29 1953 fund, the police officer or firefighter is entitled to receive credit
 30 for all the police officer's or firefighter's years of service, including
 31 years before January 1, 1982.
- 32 (g) As used in this subsection, "emergency medical services" and
 33 "emergency medical technician" have the meanings set forth in
 34 IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:
 35 (1) is employed by a unit that is participating in the 1977 fund;
 36 (2) was employed as an emergency medical technician by a
 37 political subdivision wholly or partially within the department's
 38 jurisdiction;
 39 (3) was a member of the public employees' retirement fund during
 40 the employment described in subdivision (2); and
 41 (4) ceased employment with the political subdivision and was
 42 hired by the unit's fire department due to the reorganization of



1 emergency medical services within the department's jurisdiction;
 2 shall participate in the 1977 fund. A firefighter who participates in the
 3 1977 fund under this subsection is subject to sections 18 and 21 of this
 4 chapter.

5 (h) A police officer or firefighter does not become a member of the
 6 1977 fund and is not covered by this chapter if the individual was
 7 appointed as:

- 8 (1) a fire chief under a waiver under IC 36-8-4-6(c); or
- 9 (2) a police chief under a waiver under IC 36-8-4-6.5(c);

10 unless the executive of the unit requests that the 1977 fund accept the
 11 individual in the 1977 fund and the individual previously was a
 12 member of the 1977 fund.

13 (i) A police matron hired or rehired after April 30, 1977, and before
 14 July 1, 1996, who is a member of a police department in a second or
 15 third class city on March 31, 1996, is a member of the 1977 fund.

16 (j) A park ranger who:

- 17 (1) completed at least the number of weeks of training at the
 18 Indiana law enforcement academy or a comparable law
 19 enforcement academy in another state that were required at the
 20 time the park ranger attended the Indiana law enforcement
 21 academy or the law enforcement academy in another state;
- 22 (2) graduated from the Indiana law enforcement academy or a
 23 comparable law enforcement academy in another state; and
- 24 (3) is employed by the parks department of a city having a
 25 population of more than one hundred ten thousand (110,000) but
 26 less than one hundred fifty thousand (150,000);

27 is a member of the fund.

28 (k) Notwithstanding any other provision of this chapter, a police
 29 officer or firefighter:

- 30 (1) who is a member of the 1977 fund before a consolidation
 31 under IC 36-3-1-5.1 or IC 36-3-1-6.1;
- 32 (2) whose employer is consolidated into the consolidated law
 33 enforcement department or the fire department of a consolidated
 34 city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and
- 35 (3) who, after the consolidation, becomes an employee of the
 36 consolidated law enforcement department or the consolidated fire
 37 department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

38 is a member of the 1977 fund without meeting the requirements under
 39 sections 19 and 21 of this chapter.

40 (l) Notwithstanding any other provision of this chapter, if:

- 41 (1) before a consolidation under IC 8-22-3-11.6, a police officer
 42 or firefighter provides law enforcement services or fire protection



1 services for an entity in a consolidated city;
 2 (2) the provision of those services is consolidated into the law
 3 enforcement department or fire department of a consolidated city;
 4 and
 5 (3) after the consolidation, the police officer or firefighter
 6 becomes an employee of the consolidated law enforcement
 7 department or the consolidated fire department under
 8 IC 8-22-3-11.6;
 9 the police officer or firefighter is a member of the 1977 fund without
 10 meeting the requirements under sections 19 and 21 of this chapter.
 11 **(m) Notwithstanding any other provision of this chapter, a**
 12 **firefighter who:**
 13 **(1) as of December 31, 2018, is a member of the 1977 fund as**
 14 **a firefighter with a township fire department, fire protection**
 15 **territory, or fire protection district within a county; and**
 16 **(2) after the transfer of fire protection responsibilities to**
 17 **counties under IC 36-2-21 and IC 36-8-13.7 (effective January**
 18 **1, 2019) becomes a member of the county fire department, a**
 19 **fire protection territory, or fire protection district within the**
 20 **county;**
 21 **is a member of the 1977 fund without meeting the requirements**
 22 **under sections 19 and 21 of this chapter. A firefighter described in**
 23 **this subsection is entitled to receive credit for all years of service as**
 24 **a member of the 1977 fund before becoming a member of the**
 25 **county fire department.**
 26 ~~(m)~~ **(n)** A police officer or firefighter who is a member of the 1977
 27 fund under subsection (k) or (l) may not be:
 28 (1) retired for purposes of section 10 of this chapter; or
 29 (2) disabled for purposes of section 12 of this chapter;
 30 solely because of a change in employer under the consolidation.
 31 ~~(m)~~ **(o)** Notwithstanding any other provision of this chapter and
 32 subject to subsection ~~(o)~~; **(p)** a police officer or firefighter who:
 33 (1) is an active member of the 1977 fund with an employer that
 34 participates in the 1977 fund;
 35 (2) separates from that employer; and
 36 (3) not later than one hundred eighty (180) days after the date of
 37 the separation described in subdivision (2), becomes employed as
 38 a full-time police officer or firefighter with a second employer
 39 that participates in the 1977 fund;
 40 is a member of the 1977 fund without meeting for a second time the
 41 age limitation under subsection (a) and the requirements under sections
 42 19 and 21 of this chapter. A police officer or firefighter to whom this



1 subsection applies is entitled to receive credit for all years of 1977 fund
2 covered service as a police officer or firefighter with all employers that
3 participate in the 1977 fund.

4 ~~(o)~~ (p) The one hundred eighty (180) day limitation described in
5 subsection ~~(n)(3)~~ (o)(3) does not apply to a member of the 1977 fund
6 who is eligible for reinstatement under IC 36-8-4-11.

7 SECTION 220. IC 36-8-11-4 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) A county
9 legislative body may establish fire protection districts for any of the
10 following purposes:

11 (1) Fire protection, including the capability for extinguishing all
12 fires that might be reasonably expected because of the types of
13 improvements, personal property, and real property within the
14 boundaries of the district.

15 (2) Fire prevention, including identification and elimination of all
16 potential and actual sources of fire hazard.

17 (3) Other purposes or functions related to fire protection and fire
18 prevention.

19 (b) Any area may be established as a fire protection district, but one
20 (1) part of a district may not be completely separate from another part.
21 A municipality may be included in a district, but only if it consents by
22 ordinance, unless a majority of the freeholders of the municipality have
23 petitioned to be included in the district.

24 (c) Except as provided in subsection (d), the territory of a district
25 may consist of:

26 (1) one (1) or more townships and parts of one (1) or more
27 townships in the same county; or

28 (2) all of the townships in the same county.

29 The boundaries of a district need not coincide with those of other
30 political subdivisions.

31 (d) The territory of a district may consist of a municipality that is
32 located in more than one (1) county.

33 **(e) On January 1, 2019, the following occurs in a county not
34 having a consolidated city:**

35 **(1) Subject to subdivision (2), on January 1, 2019, the county
36 shall assume the powers, duties, rights, responsibilities, and
37 obligations under this chapter of each township participating
38 in the district.**

39 **(2) A county legislative body may withdraw any part of the
40 unincorporated area of the county from participation in the
41 fire protection district, as specified in the county fire
42 protection and emergency services plan.**



1 **(3) The department of local government finance shall make**
 2 **any necessary adjustments to the maximum permissible ad**
 3 **valorem property tax levy for the county firefighting fund to**
 4 **account for any transfer of powers, duties, rights,**
 5 **responsibilities, and obligations under this section.**

6 SECTION 221. IC 36-8-11-15 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 15. (a) The board:

8 (1) has the same powers and duties as a township executive with
 9 respect to fire protection functions, including those duties and
 10 powers prescribed by IC 36-8-13 **and (after December 31, 2018)**
 11 **IC 36-8-13.7**, although all cooperative and joint actions permitted
 12 by ~~that chapter~~ **those chapters** must be undertaken according to
 13 this chapter;

14 (2) has the same powers and duties as a township executive
 15 relative to contracting with volunteer firefighting companies, as
 16 prescribed by IC 36-8-12, ~~and~~ IC 36-8-13, **and (after December**
 17 **31, 2018) IC 36-8-13.7;**

18 (3) shall appoint, fix the compensation, and prescribe the duties
 19 of a fiscal officer, secretarial staff, persons performing special and
 20 temporary services or providing legal counsel, and other
 21 personnel considered necessary for the proper functioning of the
 22 district; however, a person appointed as fiscal officer must be
 23 bonded by good and sufficient sureties in an amount ordered by
 24 the county legislative body to protect the district from financial
 25 loss;

26 (4) shall exercise general supervision of and make regulations for
 27 the administration of the district's affairs;

28 (5) shall prescribe uniform rules pertaining to investigations and
 29 hearings;

30 (6) shall supervise the fiscal affairs and responsibilities of the
 31 district;

32 (7) may delegate to employees of the district the authority to
 33 perform ministerial acts, except in cases in which final action of
 34 the board is necessary;

35 (8) shall keep accurate and complete records of all departmental
 36 proceedings, record and file all bonds and contracts, and assume
 37 responsibility for the custody and preservation of all papers and
 38 documents of the district;

39 (9) shall make an annual report to the executive and the fiscal
 40 body of the county that at least lists the financial transactions of
 41 the district and a statement of the progress in accomplishing the
 42 purposes for which the district has been established;



- 1 (10) shall adopt a seal and certify all official acts;
 2 (11) may sue and be sued collectively by its legal name ("Board
 3 of Fire Trustees, _____ Fire Protection District"), with
 4 service of process made on the chairman of the board, but costs
 5 may not be taxed against the members individually in an action;
 6 (12) may invoke any legal, equitable, or special remedy for the
 7 enforcement of this chapter or of proper action of the board taken
 8 in a court;
 9 (13) shall prepare and submit to the fiscal body of the county an
 10 annual budget for operation and maintenance expenses and for the
 11 retirement of obligations of the district, subject to review and
 12 approval by the fiscal body;
 13 (14) may, if advisable, establish one (1) or more advisory
 14 committees;
 15 (15) may enter into agreements with and accept money from a
 16 federal or state agency and enter into agreements with a
 17 municipality located within or outside the district, whether or not
 18 the municipality is a part of the district, for a purpose compatible
 19 with the purposes for which the district exists and with the
 20 interests of the municipality;
 21 (16) may accept gifts of money or other property to be used for
 22 the purposes for which the district is established;
 23 (17) may levy taxes at a uniform rate on the real and personal
 24 property within the district;
 25 (18) may issue bonds and tax anticipation warrants;
 26 (19) may incur other debts and liabilities;
 27 (20) may purchase or rent property;
 28 (21) may sell services or property that are produced incident to
 29 the operations of the district making a fair and reasonable charge
 30 for it;
 31 (22) may make contracts or otherwise enter into agreements with
 32 public or private persons and federal or state agencies for
 33 construction, maintenance, or operations of or in part of the
 34 district;
 35 (23) may receive and disburse money; and
 36 (24) may impose a false alarm fee or service charge under
 37 IC 36-8-13-4 or (after December 31, 2018) IC 36-8-13.7-7.
 38 (b) Powers granted by this chapter may be used only to accomplish
 39 the purpose or purposes as stated in the ordinance or resolution
 40 establishing the district. However, an act of the board necessary and
 41 proper to accomplish the purposes for which the district is established
 42 is not invalid because it incidentally accomplishes a purpose other than



1 one for which the district is established.

2 SECTION 222. IC 36-8-11-19 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 19. The department of
 4 local government finance, when approving a rate and levy fixed by the
 5 board, shall verify that a duplication of tax levies does not exist
 6 between a fire protection district and a municipality, ~~or~~ township, **or**
 7 **(after December 31, 2018) county, in the case of a county not**
 8 **having a consolidated city**, within the boundaries of the district, so
 9 that taxpayers do not bear two (2) levies for the same service, except
 10 as provided by section 20 of this chapter.

11 SECTION 223. IC 36-8-11-21 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 21. This chapter does
 13 not require a municipality, ~~or~~ township, **or (after December 31, 2018)**
 14 **county, in the case of a county not having a consolidated city**, to
 15 disband its fire department unless its legislative body consents by
 16 ordinance.

17 SECTION 224. IC 36-8-12-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Except as
 19 provided in **subsection (b) and** section 10 of this chapter, this chapter
 20 applies to all units except counties.

21 **(b) After December 31, 2018, this chapter:**

22 **(1) also applies to counties not having a consolidated city; and**

23 **(2) does not apply to a township located in a county not having**
 24 **a consolidated city.**

25 **(c) On January 1, 2019, a county not having a consolidated city**
 26 **shall assume the powers, duties, rights, and obligations under this**
 27 **chapter of each township in the county.**

28 SECTION 225. IC 36-8-12-13, AS AMENDED BY P.L.208-2011,
 29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 13. (a) Except as provided in subsection (b), the
 31 volunteer fire department that responds first to an incident may impose
 32 a charge on the owner of property, the owner of a vehicle, or a
 33 responsible party (as defined in IC 13-11-2-191(e)) that is involved in
 34 a hazardous material or fuel spill or chemical or hazardous material
 35 related fire (as defined in IC 13-11-2-96(b)):

36 (1) that is responded to by the volunteer fire department; and

37 (2) that members of that volunteer fire department assisted in
 38 extinguishing, containing, or cleaning up.

39 A second or subsequently responding volunteer fire department may
 40 not impose a charge on an owner or responsible party under this
 41 section, although it may be entitled to reimbursement from the first
 42 responding volunteer fire department in accordance with an interlocal



- 1 or other agreement.
- 2 (b) A volunteer fire department that is funded, in whole or in part:
- 3 (1) by taxes imposed by a unit; or
- 4 (2) by a contract with a unit;
- 5 may not impose a charge under subsection (a) on a natural person who
- 6 resides or pays property taxes within the boundaries of the unit
- 7 described in subdivision (1) or (2), unless the spill or the chemical or
- 8 hazardous material fire poses an imminent threat to persons or
- 9 property.
- 10 (c) The volunteer fire department shall bill the owner or responsible
- 11 party of the vehicle for the total dollar value of the assistance that was
- 12 provided, with that value determined by a method that the state fire
- 13 marshal shall establish under section 16 of this chapter. A copy of the
- 14 fire incident report to the state fire marshal must accompany the bill.
- 15 This billing must take place within thirty (30) days after the assistance
- 16 was provided. The owner or responsible party shall remit payment
- 17 directly to the governmental unit providing the service. Any money that
- 18 is collected under this section may be:
- 19 (1) deposited in the township firefighting fund established in
- 20 IC 36-8-13-4 or the county firefighting fund established under
- 21 **IC 36-8-13.7-5;**
- 22 (2) used to pay principal and interest on a loan made by the
- 23 department of homeland security established by IC 10-19-2-1 or
- 24 a division of the department for the purchase of new or used
- 25 firefighting and other emergency equipment or apparatus; or
- 26 (3) used for the purchase of equipment, buildings, and property
- 27 for firefighting, fire protection, and other emergency services.
- 28 (d) Any administrative fees charged by a fire department's agent
- 29 must be paid only from fees that are collected and allowed by Indiana
- 30 law and the fire marshal's schedule of fees.
- 31 (e) An agent who processes fees on behalf of a fire department shall
- 32 send all bills, notices, and other related materials to both the fire
- 33 department and the person being billed for services.
- 34 (f) All fees allowed by Indiana law and the fire marshal's fee
- 35 schedule must be itemized separately from any other charges.
- 36 (g) The volunteer fire department may maintain a civil action to
- 37 recover an unpaid charge that is imposed under subsection (a) and may,
- 38 if it prevails, recover all costs of the action, including reasonable
- 39 attorney's fees.
- 40 SECTION 226. IC 36-8-12-16, AS AMENDED BY P.L.208-2011,
- 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2015]: Sec. 16. (a) A volunteer fire department that provides



1 service within a jurisdiction served by the department may establish a
 2 schedule of charges for the services that the department provides not
 3 to exceed the state fire marshal's recommended schedule for services.
 4 The volunteer fire department or its agent may collect a service charge
 5 according to this schedule from the owner of property that receives
 6 service if the following conditions are met:

7 (1) At the following times, the department gives notice under
 8 IC 5-3-1-4(d) in each political subdivision served by the
 9 department of the amount of the service charge for each service
 10 that the department provides:

11 (A) Before the schedule of service charges is initiated.

12 (B) When there is a change in the amount of a service charge.

13 (2) The property owner has not sent written notice to the
 14 department to refuse service by the department to the owner's
 15 property.

16 (3) The bill for payment of the service charge:

17 (A) is submitted to the property owner in writing within thirty
 18 (30) days after the services are provided;

19 (B) includes a copy of a fire incident report in the form
 20 prescribed by the state fire marshal, if the service was
 21 provided for an event that requires a fire incident report;

22 (C) must contain verification that the bill has been approved
 23 by the chief of the volunteer fire department; and

24 (D) must contain language indicating that correspondence
 25 from the property owner and any question from the property
 26 owner regarding the bill should be directed to the department.

27 (4) Payment is remitted directly to the governmental unit
 28 providing the service.

29 (b) A volunteer fire department shall use the revenue collected from
 30 the fire service charges under this section:

31 (1) for the purchase of equipment, buildings, and property for
 32 firefighting, fire protection, or other emergency services;

33 (2) for deposit in the township firefighting fund established under
 34 IC 36-8-13-4 or the county firefighting fund established under
 35 **IC 36-8-13.7-5**; or

36 (3) to pay principal and interest on a loan made by the department
 37 of homeland security established by IC 10-19-2-1 or a division of
 38 the department for the purchase of new or used firefighting and
 39 other emergency equipment or apparatus.

40 (c) Any administrative fees charged by a fire department's agent
 41 must be paid only from fees that are collected and allowed by Indiana
 42 law and the fire marshal's schedule of fees.



1 (d) An agent who processes fees on behalf of a fire department shall
 2 send all bills, notices, and other related materials to both the fire
 3 department and the person being billed for services.
 4 (e) All fees allowed by Indiana law and the fire marshal's fee
 5 schedule must be itemized separately from any other charges.
 6 (f) If at least twenty-five percent (25%) of the money received by a
 7 volunteer fire department for providing fire protection or emergency
 8 services is received under one (1) or more contracts with one (1) or
 9 more political subdivisions (as defined in IC 34-6-2-110), the
 10 legislative body of a contracting political subdivision must approve the
 11 schedule of service charges established under subsection (a) before the
 12 schedule of service charges is initiated in that political subdivision.
 13 (g) A volunteer fire department that:
 14 (1) has contracted with a political subdivision to provide fire
 15 protection or emergency services; and
 16 (2) charges for services under this section;
 17 must submit a report to the legislative body of the political subdivision
 18 before April 1 of each year indicating the amount of service charges
 19 collected during the previous calendar year and how those funds have
 20 been expended.
 21 (h) The state fire marshal shall annually prepare and publish a
 22 recommended schedule of service charges for fire protection services.
 23 (i) The volunteer fire department or its agent may maintain a civil
 24 action to recover an unpaid service charge under this section and may,
 25 if it prevails, recover all costs of the action, including reasonable
 26 attorney's fees.
 27 SECTION 227. IC 36-8-12-17, AS AMENDED BY P.L.208-2011,
 28 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 17. (a) If a political subdivision has not imposed
 30 its own false alarm fee or service charge, a volunteer fire department
 31 that provides service within the jurisdiction may establish a service
 32 charge for responding to false alarms. The volunteer fire department
 33 may collect the false alarm service charge from the owner of the
 34 property if the volunteer fire department dispatches firefighting
 35 apparatus or personnel to a building or premises in the ~~township~~
 36 **political subdivision** in response to:
 37 (1) an alarm caused by improper installation or improper
 38 maintenance; or
 39 (2) a drill or test, if the fire department is not previously notified
 40 that the alarm is a drill or test.
 41 However, if the owner of property that constitutes the owner's residence
 42 establishes that the alarm is under a maintenance contract with an



1 alarm company and that the alarm company has been notified of the
 2 improper installation or maintenance of the alarm, the alarm company
 3 is liable for the payment of the fee or service charge.

4 (b) Before establishing a false alarm service charge, the volunteer
 5 fire department must provide notice under IC 5-3-1-4(d) in each
 6 political subdivision served by the department of the amount of the
 7 false alarm service charge. The notice required by this subsection must
 8 be given:

9 (1) before the false alarm service charge is initiated; and

10 (2) before a change in the amount of the false alarm service
 11 charge.

12 (c) A volunteer fire department may not collect a false alarm service
 13 charge from a property owner or alarm company unless the
 14 department's bill for payment of the service charge:

15 (1) is submitted to the property owner in writing within thirty (30)
 16 days after the false alarm; and

17 (2) includes a copy of a fire incident report in the form prescribed
 18 by the state fire marshal.

19 (d) A volunteer fire department shall use the money collected from
 20 the false alarm service charge imposed under this section:

21 (1) for the purchase of equipment, buildings, and property for fire
 22 fighting, fire protection, or other emergency services;

23 (2) for deposit in:

24 (A) **before January 1, 2019**, the township firefighting fund
 25 established under IC 36-8-13-4; or

26 (B) **after December 31, 2018, the township firefighting fund**
 27 **established under IC 36-8-13-4 (in the case of a township**
 28 **that is located in a county having a consolidated city and**
 29 **that has not consolidated the township's fire department**
 30 **under IC 36-3-1-6.1) or the county firefighting fund**
 31 **established under IC 36-8-13.7-5 (in the case of a county**
 32 **not having a consolidated city); or**

33 (3) to pay principal and interest on a loan made by the department
 34 of homeland security established by IC 10-19-2-1 or a division of
 35 the department for the purchase of new or used firefighting and
 36 other emergency equipment or apparatus.

37 (e) If at least twenty-five percent (25%) of the money received by a
 38 volunteer fire department for providing fire protection or emergency
 39 services is received under one (1) or more contracts with one (1) or
 40 more political subdivisions (as defined in IC 34-6-2-110), the
 41 legislative body of a contracting political subdivision must approve the
 42 false alarm service charge established under subsection (a) before the



1 service charge is initiated in that political subdivision.
 2 (f) A volunteer fire department that:
 3 (1) has contracted with a political subdivision to provide fire
 4 protection or emergency services; and
 5 (2) imposes a false alarm service charge under this section;
 6 must submit a report to the legislative body of the political subdivision
 7 before April 1 of each year indicating the amount of false alarm
 8 charges collected during the previous calendar year and how those
 9 funds have been expended.
 10 (g) The volunteer fire department may maintain a civil action to
 11 recover unpaid false alarm service charges imposed under this section
 12 and may, if it prevails, recover all costs of the action, including
 13 reasonable attorney's fees.
 14 SECTION 228. IC 36-8-12.2-2 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. As used in this
 16 chapter, "fire department" means a fire department that:
 17 (1) is established under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), ~~or~~
 18 **IC 36-8-13.7-4(a)(1)**; and
 19 (2) employs:
 20 (A) both full-time paid members and volunteer members; or
 21 (B) only full-time paid members.
 22 SECTION 229. IC 36-8-12.2-8 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Money collected
 24 under this chapter must be deposited in one (1) of the following:
 25 (1) The general fund of the unit that established the fire
 26 department under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), ~~or~~
 27 **IC 36-8-13.7-4(a)(1)**.
 28 (2) A hazardous materials response fund established under section
 29 8.1 of this chapter by a city or town having a fire department
 30 established under IC 36-8-2-3.
 31 (b) Money collected under this chapter may be used only for the
 32 following:
 33 (1) Purchase of supplies and equipment used in providing
 34 hazardous materials emergency assistance under this chapter.
 35 (2) Training for members of the fire department in skills
 36 necessary for providing hazardous materials emergency assistance
 37 under this chapter.
 38 (3) Payment to persons with which the fire department contracts
 39 to provide services related to the hazardous materials emergency
 40 assistance provided by the fire department under this chapter.
 41 SECTION 230. IC 36-8-13-1, AS AMENDED BY P.L.227-2005,
 42 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 1. This chapter applies to all townships. However,
 2 this chapter does not apply:

3 (1) to a township in which the fire department of the township has
 4 been consolidated under IC 36-3-1-6.1; or

5 (2) after December 31, 2018, to a township located in a county
 6 not having a consolidated city.

7 SECTION 231. IC 36-8-13.6 IS ADDED TO THE INDIANA
 8 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2015]:

10 **Chapter 13.6. County Fire Protection and Emergency Services**
 11 **Plan**

12 **Sec. 1. This chapter does not apply to a county having a**
 13 **consolidated city.**

14 **Sec. 2. As used in this chapter, "county plan" means a county**
 15 **fire protection and emergency services plan.**

16 **Sec. 3. The county legislative body shall propose a county plan.**
 17 **After the county legislative body proposes a county plan, the**
 18 **county legislative body shall review the county plan during at least**
 19 **two (2) public meetings at which the public and any interested**
 20 **parties shall have the opportunity to comment on the county plan.**

21 **Sec. 4. (a) A county legislative body shall before January 1,**
 22 **2019, adopt an ordinance finally approving the county plan.**

23 **(b) If a county legislative body does not adopt an ordinance**
 24 **finally approving a county plan under subsection (a) before**
 25 **January 1, 2019, the division of fire and building safety established**
 26 **by IC 10-19-7-1 shall instead adopt the county plan for that county.**

27 **Sec. 5. A county legislative body may periodically amend the**
 28 **ordinance setting forth the county plan.**

29 **Sec. 6. (a) A county plan must provide that after December 31,**
 30 **2018, the county is responsible for fire protection and emergency**
 31 **services in the unincorporated areas of the county.**

32 **(b) A county plan must include the following:**

33 **(1) A comprehensive plan providing for fire protection,**
 34 **emergency medical services, and hazardous materials**
 35 **response in the unincorporated areas of the county in an**
 36 **efficient and cost effective manner. The plan must describe**
 37 **the facilities, equipment, and personnel that will be used to**
 38 **provide fire protection and emergency services in the**
 39 **unincorporated areas of the county.**

40 **(2) A description of the standards of service and protocols for**
 41 **fire protection and emergency services.**

42 **(3) A plan specifying the transition of fire protection and**



1 emergency services from existing township fire departments
2 and other providers of fire protection and emergency services
3 to county administered fire protection and emergency services
4 in the unincorporated areas of the county.

5 (4) A description of:
6 (A) the organization of the county fire department; and
7 (B) any residency requirements that apply to members of
8 the county fire department.

9 (5) A description of any fire protection districts, fire
10 protection territories, volunteer fire departments, or other
11 units of government that will be established or used to provide
12 fire protection service or with which the county will contract
13 or otherwise enter into an agreement for fire protection and
14 emergency services. The county plan must provide that the
15 executive of the county will provide for fire protection and
16 emergency services in the unincorporated areas of the county
17 through any combination of the following:

- 18 (A) The operation of a county fire department.
- 19 (B) Contracting with or otherwise cooperating with any
20 municipality, county, fire protection district, volunteer fire
21 department, fire protection territory, or other entity.
- 22 (C) Entering into mutual aid agreements.

23 SECTION 232. IC 36-8-13.7 IS ADDED TO THE INDIANA
24 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2015]:

26 **Chapter 13.7. County Fire Protection and Emergency Services**

27 **Sec. 1. This chapter does not apply to a county having a**
28 **consolidated city.**

29 **Sec. 2. As used in this chapter, "county plan" means a county**
30 **fire protection and emergency services plan approved under**
31 **IC 36-8-13.6.**

32 **Sec. 3. (a) Beginning January 1, 2019, the executive of a county**
33 **shall provide for fire protection and emergency services in the**
34 **unincorporated areas of the county in the manner specified in the**
35 **county plan.**

36 **(b) As provided in IC 36-2-21, in carrying out fire protection**
37 **and emergency services responsibilities, the county executive shall,**
38 **as provided in the county plan, provide for fire protection and**
39 **emergency services in the unincorporated areas of the county**
40 **through any combination of:**

- 41 **(1) operating a county fire department;**
- 42 **(2) contracting with or otherwise cooperating with any**



1 municipality, county, fire protection district, volunteer fire
 2 department, fire protection territory, or other entity; or
 3 (3) entering into mutual aid agreements.

4 **Sec. 4. (a) The executive of a county, with the approval of the**
 5 **county fiscal body and according to the county plan, may do the**
 6 **following in carrying out the county's responsibility to provide fire**
 7 **protection and emergency services in the unincorporated areas of**
 8 **the county after December 31, 2018:**

9 (1) Purchase firefighting and emergency services apparatus
 10 and equipment for the county, provide for the housing, care,
 11 maintenance, operation, and use of the apparatus and
 12 equipment to provide services within the unincorporated
 13 areas of the county, and employ full-time or part-time
 14 personnel to operate the apparatus and equipment and to
 15 provide services in that area. Preference in employment under
 16 this section shall be given according to the following priority:

17 (A) A war veteran who has been honorably discharged
 18 from the United States armed forces.

19 (B) A person whose mother or father was a:

20 (i) firefighter of a unit;

21 (ii) municipal police officer; or

22 (iii) county police officer;

23 who died in the line of duty (as defined in IC 5-10-10-2).

24 A person described in this subdivision may not receive a
 25 preference for employment unless the person applies for
 26 employment and meets all employment requirements
 27 prescribed by law, including physical and age requirements,
 28 and all employment requirements prescribed by the fire
 29 department.

30 (2) Contract in accordance with IC 36-1-7 with a municipality
 31 in the county or in a contiguous county that maintains
 32 adequate firefighting or emergency services apparatus and
 33 equipment to provide fire protection or emergency services.

34 (3) Cooperate in accordance with IC 36-1-7 with a
 35 municipality in the county or in a contiguous county in the
 36 purchase, maintenance, and upkeep of firefighting or
 37 emergency services apparatus and equipment for use in the
 38 municipality and county.

39 (4) Contract with a volunteer fire department for the use and
 40 operation of firefighting apparatus and equipment that has
 41 been purchased by the county in order to save the private and
 42 public property of the county from destruction by fire,



1 including use of the apparatus and equipment in an adjoining
 2 county by the volunteer fire department if the volunteer fire
 3 department has made a contract with the executive of the
 4 adjoining county to furnish firefighting service within the
 5 county.

6 (5) Contract with a volunteer fire department that maintains
 7 adequate firefighting service in accordance with IC 36-8-12.

8 (b) This subsection applies only to a municipality whose
 9 municipal territory is completely within a county and that does not
 10 have a full-time paid fire department. The county may provide fire
 11 protection or emergency services, or both, without contracts inside
 12 the corporate boundaries of the municipality if before July 1 of a
 13 year both of the following occur:

14 (1) The legislative body of the municipality adopts a
 15 ordinance to have the county provide the services without a
 16 contract.

17 (2) The county fiscal body passes a resolution approving the
 18 county's provision of the services to the municipality without
 19 a contract.

20 In a county providing services to a municipality under this section,
 21 the legislative body of a municipality in the county, the county
 22 fiscal body, or the county executive may opt out of participation
 23 under this subsection by adopting an ordinance or resolution
 24 before July 1 of a year.

25 Sec. 5. (a) Each county shall establish a county firefighting fund
 26 that is the exclusive fund used by the county for the payment of
 27 costs attributable to providing fire protection or emergency
 28 services under section 4 of this chapter and for no other purposes.
 29 The money in the fund may be paid out by the county executive
 30 upon appropriation by the county fiscal body.

31 (b) Each county may levy, for property taxes due in 2019 and
 32 thereafter, a tax for the county firefighting fund. Other than a
 33 county providing fire protection or emergency services, or both, to
 34 municipalities in the county under section 4(b) of this chapter, the
 35 tax levy is on all taxable real and personal property in the county
 36 that is outside the corporate boundaries of municipalities. Subject
 37 to the levy limitations under IC 6-1.1-18.5, the county levy must be
 38 in an amount sufficient to pay all costs attributable to fire
 39 protection and emergency services that are not paid from other
 40 revenues available to the fund. The tax rate and levy must be
 41 established in accordance with the procedures set forth in
 42 IC 6-1.1-17.



1 (c) In addition to the tax levy under this section and service
2 charges received under IC 36-8-12-13 and IC 36-8-12-16, the
3 executive may accept donations to the county for firefighting and
4 other emergency services and shall place the donations in the
5 county firefighting fund, keeping an accurate record of the sums
6 received. A person may also donate partial payment of any
7 purchase of firefighting or other emergency services equipment
8 made by the county.

9 Sec. 6. (a) This section applies to a county that provides fire
10 protection or emergency services, or both, to a municipality in the
11 county under section 4(b) of this chapter.

12 (b) With the consent of the county fiscal body, the county
13 executive shall pay the expenses for fire protection and emergency
14 services in the county, both inside and outside the corporate
15 boundaries of participating municipalities, from any combination
16 of the following county funds, regardless of when the funds were
17 established:

18 (1) The county firefighting fund under section 5(a) of this
19 chapter.

20 (2) The cumulative building and equipment fund under
21 IC 36-8-14.

22 (3) The debt fund for taxes levied under section 10 of this
23 chapter.

24 (c) Subject to the levy limitations under IC 6-1.1-18.5, the tax
25 rate and levy for the county firefighting fund, the cumulative
26 building and equipment fund, or the debt fund must be in an
27 amount sufficient to pay all costs attributable to fire protection or
28 emergency services that are provided to the county and the
29 participating municipalities that are not paid from other available
30 revenues. The tax rate and levy for each fund must be established
31 in accordance with the procedures set forth in IC 6-1.1-17 and
32 apply both inside and outside the corporate boundaries of
33 participating municipalities.

34 (d) The county executive may accept donations for firefighting
35 and emergency services. The county executive shall place donations
36 in the county firefighting fund. A person may donate partial
37 payment of a purchase of firefighting or emergency services
38 equipment made by the county.

39 Sec. 7. (a) If a fire department serving a county dispatches fire
40 apparatus or personnel to a building or premises in the county in
41 response to:

42 (1) an alarm caused by improper installation or improper



1 maintenance of the alarm; or

2 (2) a drill or test, if the fire department is not previously
3 notified that the alarm is a drill or test;

4 the county may impose a fee or service charge upon the owner of
5 the property. However, if the owner of property that constitutes
6 the owner's residence establishes that the alarm is under a
7 maintenance contract with an alarm company and that the alarm
8 company has been notified of the improper installation or
9 maintenance of the alarm, the alarm company is liable for the
10 payment of the fee or service charge.

11 (b) The amount of a fee or service charge imposed under
12 subsection (a) shall be determined by the county legislative body.
13 All money received by the county from the fee or service charge
14 must be deposited in the county's firefighting fund established
15 under section 5 of this chapter.

16 Sec. 8. (a) For counties and municipalities that elect to have the
17 county provide fire protection and emergency services under
18 section 4(b) of this chapter, the department of local government
19 finance shall adjust each county's and each municipality's
20 maximum permissible ad valorem property tax levy in the year
21 following the year in which the election is made, as determined
22 under IC 6-1.1-18.5-3, to reflect the change from provision of fire
23 protection under a contract between the municipality and the
24 county to imposition by the county of a property tax levy on the
25 taxable property located within the corporate boundaries of each
26 municipality. Each municipality's maximum permissible ad
27 valorem property tax levy shall be reduced by the amount of the
28 municipality's property tax levy that was imposed by the
29 municipality to meet the obligations to the county under the fire
30 protection contract. The county's maximum permissible ad
31 valorem property tax levy shall be increased by the product of:

32 (1) the assessed value growth quotient determined under
33 IC 6-1.1-18.5-2 for the ensuing calendar year; multiplied by

34 (2) the amount the county received:

35 (A) in the year in which the election is made; and

36 (B) as fire protection contract payments from all
37 municipalities whose levy is decreased under this section.

38 (b) For purposes of determining a county's or municipality's
39 maximum permissible ad valorem property tax levy under
40 IC 6-1.1-18.5-3 for years following the first year after the year in
41 which the election is made, a county's or municipality's maximum
42 permissible ad valorem property tax levy is the levy after the



1 adjustment made under subsection (a).

2 **Sec. 9.** After a sufficient appropriation has been made and
3 approved and is available for the purchase of firefighting
4 apparatus and equipment, including housing, the county executive,
5 with the approval of the county fiscal body, may purchase
6 firefighting apparatus and equipment for the county on an
7 installment conditional sale or mortgage contract running for a
8 period not exceeding:

9 (1) six (6) years; or

10 (2) fifteen (15) years for a county that is purchasing the
11 firefighting equipment with funding from the:

12 (A) state or its instrumentalities; or

13 (B) federal government or its instrumentalities.

14 The purchase must be amortized in equal or approximately equal
15 installments payable on January 1 and July 1 each year.

16 **Sec. 10. (a)** Subject to section 11 of this chapter and subject to
17 approval of the county fiscal body, the county executive, on behalf
18 of the county, also may borrow the money necessary to make a
19 purchase of firefighting apparatus and equipment from a financial
20 institution in Indiana on the terms described in section 9 of this
21 chapter. The county executive shall, on behalf of the county,
22 execute and deliver to the institution the negotiable note or bond of
23 the county for the sum borrowed. The note or bond must bear
24 interest, with both principal and interest payable in equal or
25 approximately equal installments on January 1 and July 1 each
26 year over a period not exceeding six (6) years.

27 (b) The first installment of principal and interest on a contract,
28 chattel mortgage, note, or bond is due on the next January 1 or
29 July 1 following the first tax collection for which it is possible for
30 the county to levy a tax. The county fiscal body shall levy a tax each
31 year sufficient to pay the obligation according to its terms and shall
32 appropriate the proceeds of the tax for this purpose. An obligation
33 of the county executed under this chapter is a valid and binding
34 obligation of the county.

35 **Sec. 11. (a)** If the county executive determines that money
36 should be borrowed under section 10 of this chapter, not less than
37 ten (10) taxpayers in the county who disagree with the
38 determination may file a petition in the office of the county auditor
39 not more than thirty (30) days after notice of the determination is
40 given. The petition must state the taxpayers' objections and the
41 reasons why the taxpayers believe the borrowing to be unnecessary
42 or unwise.



1 **(b) The county auditor shall immediately certify a copy of the**
 2 **petition, together with other data necessary to present the**
 3 **questions involved, to the department of local government finance.**
 4 **Upon receipt of the certified petition and other data, the**
 5 **department of local government finance shall fix a date, time, and**
 6 **place for the hearing of the matter. The hearing shall be held not**
 7 **less than five (5) days and not more than thirty (30) days after the**
 8 **receipt of the certified documents.**

9 **(c) The hearing must be held in the county where the petition**
 10 **arose.**

11 **(d) Notice of the hearing shall be given by the department of**
 12 **local government finance to the county and to the first ten (10)**
 13 **petitioners listed on the petition by letter. The letter shall be sent**
 14 **to each of the first ten (10) petitioners at the petitioner's usual**
 15 **place of residence at least five (5) days before the date of the**
 16 **hearing.**

17 **(e) A:**

18 **(1) taxpayer who signed a petition filed under subsection (a);**

19 **or**

20 **(2) county against which a petition under subsection (a) is**
 21 **filed;**

22 **may petition for judicial review of the final determination of the**
 23 **department of local government finance under this section. The**
 24 **petition must be filed in the tax court not more than forty-five (45)**
 25 **days after the date of the department's final determination.**

26 **Sec. 12. (a) All purchases of firefighting apparatus and**
 27 **equipment under this chapter shall be made in the manner**
 28 **provided by statute for the purchase of county supplies. If the**
 29 **amount involved is sufficient to require notice under statutes for**
 30 **bids in connection with the purchase of apparatus or equipment,**
 31 **the notice must offer all bidders the opportunity of proposing to**
 32 **sell the apparatus or equipment to the county upon a conditional**
 33 **sale or mortgage contract.**

34 **(b) A bidder proposing to sell on a conditional sale or mortgage**
 35 **contract shall state in the bidder's bid the proposed interest rate**
 36 **and terms of the conditional sale or contract, to be considered by**
 37 **the county executive and legislative body in determining the best**
 38 **bid received.**

39 **(c) All bids submitted must specify the cash price at which the**
 40 **bidder proposes to sell the apparatus or equipment to the county**
 41 **so that the executive and legislative body may determine whether**
 42 **it is in the best interest of the county to purchase the apparatus or**



1 equipment on the terms of a conditional sale or mortgage contract
 2 proposed by the bidder or to purchase the apparatus or equipment
 3 for cash if sufficient funds are available or can be raised by
 4 negotiating a loan with a financial institution in accordance with
 5 section 10 of this chapter.

6 **Sec. 13.** A county having a regularly organized fire department
 7 employing full-time firefighters may procure at the county's
 8 expense:

9 (1) an insurance policy for each member of the fire
 10 department insuring the member against loss of life or
 11 dismemberment while in the performance of regularly
 12 assigned duties; and

13 (2) group insurance providing supplemental income
 14 protection for a member of the fire department who has been
 15 injured during the course of employment.

16 The insurance coverage shall be selected with the consent of the
 17 members and is supplemental to other benefits provided to an
 18 injured member by law.

19 **Sec. 14. (a)** A county shall pay the expenses, as described in
 20 subsection (b), necessary for the care of a full-time paid firefighter
 21 who:

22 (1) suffers an injury; or

23 (2) contracts an illness;

24 during the performance of the firefighter's duty.

25 (b) The county shall pay for the following expenses incurred by
 26 a firefighter described in subsection (a):

27 (1) Medical and surgical care.

28 (2) Medicines and laboratory, curative, and palliative agents
 29 and means.

30 (3) X-ray, diagnostic, and therapeutic services, including
 31 during the recovery period.

32 (4) Hospital and special nursing care if the physician or
 33 surgeon in charge considers it necessary for proper recovery.

34 (c) Expenditures required by subsection (a) shall be paid from
 35 the county firefighting fund established under section 5 of this
 36 chapter.

37 (d) A county that has paid for the care of a firefighter under
 38 subsection (a) has a cause of action for reimbursement of the
 39 amount paid under subsection (a) against any third party against
 40 whom the firefighter has a cause of action for an injury sustained
 41 because of, or an illness caused by, the third party. The county's
 42 cause of action under this subsection is in addition to, and not in



1 lieu of, the cause of action of the firefighter against the third party.

2 **Sec. 15. Notwithstanding section 5 of this chapter, a county**
 3 **fiscal body may after December 31, 2018, authorize the county**
 4 **executive to borrow a specified sum from a county fund other than**
 5 **the county firefighting fund established under section 5 of this**
 6 **chapter if the county fiscal body finds that an emergency requiring**
 7 **the expenditure of money is related to paying the operating**
 8 **expenses of a county fire department or a volunteer fire**
 9 **department. The county fiscal body shall provide for payment of**
 10 **the debt by imposing a levy to the credit of the fund from which the**
 11 **amount was borrowed under this subsection.**

12 SECTION 233. IC 36-8-14-1 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a) Except as**
 14 **provided in subsection (b),** this chapter applies to all units except
 15 counties.

16 **(b) After December 31, 2018, this chapter also applies to**
 17 **counties not having a consolidated city. However, a county may,**
 18 **before January 1, 2019, take any action required under this**
 19 **chapter that is necessary to provide for the cumulative building**
 20 **and equipment fund to be established in 2019 and to impose the**
 21 **property tax levy under this chapter beginning in 2019.**

22 SECTION 234. IC 36-8-14-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) As used in this
 24 section, "emergency medical services" has the meaning set forth in
 25 IC 16-18-2-110.

26 (b) As used in this section, "volunteer fire department" has the
 27 meaning set forth in IC 36-8-12-2.

28 (c) The legislative body of a unit or the board of fire trustees of a
 29 fire protection district may provide a cumulative building and
 30 equipment fund under IC 6-1.1-41 for the following purposes:

31 (1) The:

32 (A) purchase, construction, renovation, or addition to
 33 buildings; or

34 (B) purchase of land;

35 used by the fire department or a volunteer fire department serving
 36 the unit.

37 (2) The purchase of firefighting equipment for use of the fire
 38 department or a volunteer fire department serving the unit,
 39 including making the required payments under a lease rental with
 40 option to purchase agreement made to acquire the equipment.

41 (3) In a municipality, the purchase of police radio equipment.

42 (4) The:



- 1 (A) purchase, construction, renovation, or addition to a
- 2 building;
- 3 (B) purchase of land; or
- 4 (C) purchase of equipment;
- 5 for use of a provider of emergency medical services under
- 6 IC 16-31-5 to the unit establishing the fund.

7 (d) In addition to the requirements of IC 6-1.1-41, before a
 8 cumulative fund may be established by a township fire protection
 9 district, the county legislative body which appoints the trustees of the
 10 fire protection district must approve the establishment of the fund.

11 **(e) This subsection does not apply to a county having a**
 12 **consolidated city. The following apply on January 1, 2019:**

13 **(1) A cumulative building and equipment fund is established**
 14 **for each county. The adoption and approval provisions of**
 15 **IC 6-1.1-41 do not apply to the establishment of the fund**
 16 **under this subsection. The provisions of IC 6-1.1-41**
 17 **concerning the adoption of a tax levy apply to the fund.**
 18 **However, a county may before January 1, 2019, take any**
 19 **action required under this chapter that is necessary to provide**
 20 **for the cumulative building and equipment fund to be**
 21 **established in 2019 and to impose the property tax levy under**
 22 **this chapter beginning in 2019.**

23 **(2) Each cumulative building and equipment fund established**
 24 **by a township in the county is abolished, and the balance in**
 25 **the township's cumulative building and equipment fund shall**
 26 **be transferred to the county's cumulative building and**
 27 **equipment fund established under subdivision (1).**

28 SECTION 235. IC 36-8-14-4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) To provide for
 30 the cumulative building and equipment fund established under this
 31 chapter, the legislative body may levy a tax on all taxable property
 32 within the taxing district in compliance with IC 6-1.1-41. The tax rate
 33 may not exceed three and thirty-three hundredths cents (\$0.0333) on
 34 each one hundred dollars (\$100) of assessed valuation of property in
 35 the taxing district.

36 (b) As the tax is collected, it shall be deposited in a qualified public
 37 depository or depositories and held in a special fund to be known as:

- 38 (1) the "building or remodeling, firefighting, and police radio
- 39 equipment fund" in the case of a municipality; or as
- 40 (2) the "building or remodeling and fire equipment fund" in the
- 41 case of a township, **a county (after December 31, 2018, in the**
- 42 **case of a county not having a consolidated city), or a fire**



1 protection district.
 2 SECTION 236. IC 36-8-19-1.7 IS ADDED TO THE INDIANA
 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2015]: **Sec. 1.7. (a) This section does not**
 5 **apply to townships in a county having a consolidated city.**
 6 **(b) The following apply if a township is a participating unit in**
 7 **a fire protection territory as of January 1, 2019:**
 8 **(1) Subject to subdivision (2), on January 1, 2019, the county**
 9 **shall assume the powers, duties, rights, responsibilities, and**
 10 **obligations under this chapter previously held by the township**
 11 **that was a participating unit.**
 12 **(2) A county legislative body may withdraw as otherwise**
 13 **provided in this chapter from the fire protection territory, as**
 14 **specified in the county fire protection and emergency services**
 15 **plan.**
 16 **(3) The department of local government finance shall make**
 17 **any necessary adjustments to the maximum permissible ad**
 18 **valorem property tax levy for the county firefighting fund to**
 19 **account for any transfer of powers, duties, rights,**
 20 **responsibilities, and obligations under this section.**
 21 SECTION 237. IC 36-8-19-8, AS AMENDED BY P.L.183-2014,
 22 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 8. (a) Upon the adoption of identical ordinances
 24 or resolutions, or both, by the participating units under section 6 of this
 25 chapter, the designated provider unit must establish a fire protection
 26 territory fund from which all expenses of operating and maintaining the
 27 fire protection services within the territory, including repairs, fees,
 28 salaries, depreciation on all depreciable assets, rents, supplies,
 29 contingencies, and all other expenses lawfully incurred within the
 30 territory shall be paid. The purposes described in this subsection are the
 31 sole purposes of the fund, and money in the fund may not be used for
 32 any other expenses. Except as allowed in subsections (d) and (e) and
 33 section 8.5 of this chapter, the provider unit is not authorized to transfer
 34 money out of the fund at any time.
 35 (b) The fund consists of the following:
 36 (1) All receipts from the tax imposed under this section.
 37 (2) Any money transferred to the fund by the provider unit as
 38 authorized under subsection (d).
 39 (3) Any receipts from a false alarm fee or service charge imposed
 40 by the participating units under IC 36-8-13-4 **or IC 36-8-13.7-7.**
 41 (4) Any money transferred to the fund by a participating unit
 42 under section 8.6 of this chapter.



1 (c) The provider unit, with the assistance of each of the other
 2 participating units, shall annually budget the necessary money to meet
 3 the expenses of operation and maintenance of the fire protection
 4 services within the territory. The provider unit may maintain a
 5 reasonable balance, not to exceed one hundred twenty percent (120%)
 6 of the budgeted expenses. Except as provided in IC 6-1.1-18.5-10.5,
 7 after estimating expenses and receipts of money, the provider unit shall
 8 establish the tax levy required to fund the estimated budget. The
 9 amount budgeted under this subsection shall be considered a part of
 10 each of the participating unit's budget.

11 (d) If the amount levied in a particular year is insufficient to cover
 12 the costs incurred in providing fire protection services within the
 13 territory, the provider unit may transfer from available sources to the
 14 fire protection territory fund the money needed to cover those costs. In
 15 this case:

16 (1) the levy in the following year shall be increased by the amount
 17 required to be transferred; and

18 (2) the provider unit is entitled to transfer the amount described
 19 in subdivision (1) from the fund as reimbursement to the provider
 20 unit.

21 (e) If the amount levied in a particular year exceeds the amount
 22 necessary to cover the costs incurred in providing fire protection
 23 services within the territory, the levy in the following year shall be
 24 reduced by the amount of surplus money that is not transferred to the
 25 equipment replacement fund established under section 8.5 of this
 26 chapter. The amount that may be transferred to the equipment
 27 replacement fund may not exceed five percent (5%) of the levy for that
 28 fund for that year. Each participating unit must agree to the amount to
 29 be transferred by adopting an ordinance (if the unit is a county or
 30 municipality) or a resolution (if the unit is a township) that specifies an
 31 identical amount to be transferred.

32 (f) The tax under this section is subject to the tax levy limitations
 33 imposed under IC 6-1.1-18.5-10.5.

34 SECTION 238. IC 36-10-7-1.5 IS ADDED TO THE INDIANA
 35 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 36 [EFFECTIVE JULY 1, 2015]: **Sec. 1. 5. (a) This section applies only**
 37 **after December 31, 2018.**

38 (b) Any reference in this chapter to "township board", in the
 39 case of a county not having a consolidated city, is considered a
 40 reference to the county fiscal body.

41 (c) In a county not having a consolidated city:

42 (1) the powers and duties of a township trustee concerning



1 **parks and recreation under this chapter are transferred to the**
 2 **county executive; and**

3 **(2) any reference in this chapter to "township trustee" or**
 4 **"trustee" is considered a reference to the county executive or**
 5 **the county executive's designee to administer this chapter.**

6 SECTION 239. IC 36-10-7-6, AS AMENDED BY P.L.73-2005,
 7 SECTION 175, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) This section applies to all
 9 townships having a population of at least eight thousand five hundred
 10 (8,500) that contain a town.

11 (b) The township executive may do the following in relation to
 12 township parks:

13 (1) Purchase, acquire by eminent domain, accept by grant, devise,
 14 bequest, or other conveyance, or otherwise acquire land within the
 15 township for park purposes.

16 (2) Make necessary improvements on the land.

17 (3) Maintain and operate the land.

18 (4) Dispose of all or part of the land that is unnecessary for the
 19 park or park purposes.

20 (c) If the executive decides to acquire land for park purposes under
 21 this section, the following procedures apply:

22 (1) A resolution to that effect shall be adopted by the legislative
 23 body and shall be entered upon the minutes of the legislative
 24 body. The resolution must be signed by the members of the
 25 legislative body and by the executive.

26 (2) Upon a petition signed in ink by at least one hundred (100)
 27 resident taxpayers and freeholders of the township, the executive
 28 shall, after the adoption of the resolution, fix a day not less than
 29 fifteen (15) nor more than twenty (20) days after adoption during
 30 which time remonstrances may be filed with the executive against
 31 the resolution.

32 (3) The executive shall give notice by publication of the
 33 resolution and of the time limits for filing remonstrances in
 34 accordance with IC 5-3-1.

35 (4) Remonstrances must be signed in ink and shall be filed not
 36 later than the day fixed for the expiration of the time for filing
 37 remonstrances in the notices.

38 (5) If the number of signers of remonstrances exceeds the number
 39 of signers who have signed the original petition, determined by
 40 the same qualifications, the executive may give notice, in
 41 accordance with IC 5-3-1, of a date by which time a
 42 supplementary petition containing the names of qualified signers



- 1 in addition to the names signed to the first petition may be filed
 2 asking for acquisition.
- 3 (6) A supplemental petition must be signed in ink by signers
 4 having the same qualifications as required for the original
 5 petition.
- 6 (7) If, after the expiration of the period for filing a supplemental
 7 petition, it is determined that the number of qualified signers to
 8 the original petition and the supplemental petition exceeds the
 9 number of signers to the remonstrance, the executive may proceed
 10 with the acquisition of land and the improvement and operation
 11 of it.
- 12 (8) If the number signing the remonstrance is greater than the
 13 number signing the original and supplemental petition, then the
 14 township may not proceed with the improvement.
- 15 However, the remonstrance does not prevent the acquisition of land or
 16 inhibit the power of the executive to acquire parkland unless at least
 17 twenty percent (20%) of the resident freeholders who are also legal
 18 voters execute the remonstrance. Only the executive and the legislative
 19 body may determine the sufficiency of a petition or remonstrance and
 20 the qualifications of a signer. These matters are subject to review only
 21 for fraud.
- 22 (d) The executive may acquire any property, land, privilege,
 23 immunities, or other species of interest reasonably necessary for the
 24 park or for the purpose of improving, maintaining, or operating it. The
 25 executive may sue in the name of the township for the condemnation
 26 of any property, land, privilege, immunities, or other species of interest
 27 in accordance with statutes available to municipal corporations for
 28 condemnation.
- 29 (e) To provide money for any of the purposes of this section, the
 30 legislative body may authorize the executive to issue the bonds of the
 31 township. However, the total bonds issued and outstanding at any time
 32 for such purposes may not exceed ninety thousand dollars (\$90,000).
 33 The bonds may bear interest at any rate, may be made payable
 34 semiannually, shall be sold for at least their par value, and run for a
 35 period of not less than ten (10) nor more than twenty (20) years. Parts
 36 of the total issue may be sold from time to time as the executive
 37 determines. After the authorization of the bonds, the executive shall, in
 38 accordance with IC 5-3-1, publish notice of that part of the bonds that
 39 will be sold at that time. The notice must state the amount of bonds
 40 offered, the denomination, the period to run, the rate of interest, and the
 41 date, place, and hour of sale. No part of the bonds may be sold except
 42 after notice.



1 (f) The legislative body shall levy annually a sufficient tax to pay at
 2 least the principal and interest of bonds that will mature in the
 3 following year, and the executive shall apply the tax to the payment of
 4 bonds and interest. The tax levy is in addition to other tax levies. The
 5 tax shall be levied and collected on all property within the boundaries
 6 of the township, including municipalities. The cost of the care, upkeep,
 7 repair, maintenance, and improvement of the park shall be paid out of
 8 the general fund of the township, and the legislative body shall increase
 9 the levy of the fund each year by an amount sufficient to provide the
 10 money to maintain the park.

11 (g) The executive shall direct the expenditure of the money raised
 12 by the bond issue to save money that otherwise would be expended for
 13 **township local** assistance. The executive may offer persons who are
 14 able-bodied and capable of work the opportunity to work upon the park
 15 improvement. If a person refuses without good excuse, the executive
 16 shall consider the refusal prima facie evidence that the person is not
 17 entitled to **township local** assistance.

18 SECTION 240. IC 36-10-7.5-1.4 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2015]: **Sec. 1.4. (a) After December 31, 2018,**
 21 **any reference in this chapter to "township board", in the case of a**
 22 **county not having a consolidated city, is considered a reference to**
 23 **the county fiscal body.**

24 (b) After December 31, 2018, in a county not having a
 25 consolidated city:

26 (1) the powers and duties of a township trustee concerning
 27 parks and recreation under this chapter are transferred to the
 28 county executive;

29 (2) any reference in this chapter to "township trustee" or
 30 "trustee" is considered a reference to the county executive or
 31 the county executive's designee to administer this chapter;
 32 and

33 (3) this chapter does not apply to a township located in the
 34 county.

35 SECTION 241. IC 36-12-1-7.5 IS ADDED TO THE INDIANA
 36 CODE AS A NEW SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2015]: **Sec. 7.5. (a) After December 31, 2018,**
 38 **any reference in this chapter to "township board", in the case of a**
 39 **county not having a consolidated city, is considered a reference to**
 40 **the county fiscal body.**

41 (b) After December 31, 2018, in a county not having a
 42 consolidated city:



- 1 **(1) the powers and duties of a township trustee concerning**
- 2 **public libraries, library districts, or provision or receipt of**
- 3 **library services by contract under this article are transferred**
- 4 **to the county executive;**
- 5 **(2) any reference in this article to "township trustee" or**
- 6 **"trustee" is considered a reference to the county executive or**
- 7 **the county executive's designee to administer this chapter;**
- 8 **(3) all responsibilities and obligations of a township**
- 9 **government with respect to a public library, a library district,**
- 10 **or provision or receipt of library services by contract are**
- 11 **assumed by the county; and**
- 12 **(4) the elimination of township government under IC 36-6-1.2**
- 13 **does not terminate a public library, library district, or**
- 14 **contract for provision or receipt of library services in**
- 15 **existence on December 31, 2018.**

16 SECTION 242. IC 36-12-1-13, AS AMENDED BY P.L.119-2012,
 17 SECTION 247, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2015]: Sec. 13. ~~A township trustee~~ **An**
 19 **administrator** of a township that is:

- 20 (1) located in a county having a population of more than
- 21 thirty-four thousand three hundred (34,300) but less than
- 22 thirty-five thousand (35,000); and
- 23 (2) not served by a public library;

24 may pay the cost of a library card at the nearest library for a resident of
 25 the township upon request of the resident. **This section expires**
 26 **January 1, 2019.**

27 SECTION 243. [EFFECTIVE JULY 1, 2015] **(a) The legislative**
 28 **services agency shall prepare, as directed by the legislative council,**
 29 **legislation for introduction in the 2016 regular session of the**
 30 **general assembly to organize and correct statutes affected by this**
 31 **act, if necessary.**

32 **(b) This SECTION expires July 1, 2017.**

