

# PROPOSED AMENDMENT

## HB 1427 # 31

### DIGEST

Department of local government finance. Changes the sunset date for the procedure for selling certain bonds to July 1, 2027, and makes corresponding changes. Provides that the county treasurer is not required to mail or transmit a statement for property that is exempt from taxation and does not have a reported assessed value. Requires the department of local government finance, in a manner determined by the department, to include on the coupon page of each property tax statement educational information regarding the eligibility and procedures for the over 65 property tax deduction and for various property tax deductions available to veterans. Provides temporary one time increases for the maximum permissible ad valorem property tax levies for Shelby County and the Shelby County solid waste management district. Specifies territory in which the property tax levy for a cultural institution may be imposed. Specifies that the property tax levy must be certified by the department of local government finance and is not considered in calculating the school corporation's maximum property tax levy. Specifies that a minimum population for application of certain provisions concerning: (1) the general government of counties; and (2) the division of powers of certain counties; is 450,000 (instead of 400,000). Provides that the northwest Indiana regional development authority must be reimbursed for amounts deposited in the blighted property demolition fund not later than July 1, 2027 (instead of July 1, 2026).

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1           Replace the effective dates in SECTIONS 1 through 2 with  
2           "[EFFECTIVE JANUARY 1, 2026]".

3           Page 1, between the enacting clause and line 1, begin a new  
4           paragraph and insert:

5           "SECTION 1. IC 5-1-11-1, AS AMENDED BY P.L.236-2023,  
6           SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7           JULY 1, 2025]: Sec. 1. (a) Except as otherwise provided in this chapter  
8           or in the statute authorizing their issuance, all bonds issued by or in the  
9           name of counties, townships, cities, towns, school corporations, and  
10          special taxing districts, agencies or instrumentalities thereof, or by  
11          entities required to sell bonds pursuant to this chapter, whether the  
12          bonds are general obligations or issued in anticipation of the collection  
13          of special taxes or are payable out of revenues, may be sold:

14                 (1) at a public sale; or

15                 (2) alternatively, at a negotiated sale after June 30, 2018, and  
16                 before July 1, ~~2025~~, **2027**, in the case of:

17                         (A) counties;

18                         (B) townships;

- 1 (C) cities;
- 2 (D) towns;
- 3 (E) taxing districts;
- 4 (F) special taxing districts; and
- 5 (G) school corporations.

6 (b) The word "bonds" as used in this chapter means any obligations  
 7 issued by or in the name of any of the political subdivisions or bodies  
 8 referred to in subsection (a), except obligations payable in the year in  
 9 which they are issued, obligations issued in anticipation of the  
 10 collection of delinquent taxes, and obligations issued in anticipation of  
 11 the collection of frozen bank deposits.

12 (c) Notwithstanding any of the provisions of subsection (a) or any  
 13 of the provisions of section 2 of this chapter, any bonds may be sold to  
 14 the federal government or any agency thereof, at private sale and  
 15 without a public offering.

16 SECTION 2. IC 5-1-11-6, AS AMENDED BY P.L.236-2023,  
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2025]: Sec. 6. (a) In cases where other statutes authorize the  
 19 issuance and exchange of new bonds for the purpose of refunding or  
 20 redeeming outstanding bonds for the payment of which no funds are  
 21 available, it shall be the duty of the officers charged with issuance and  
 22 exchange of the new bonds to cause the bonds to be offered:

- 23 (1) at a public sale as provided in this chapter; or
- 24 (2) alternatively, at a negotiated sale after June 30, 2018, and  
 25 before July 1, ~~2025~~, **2027**, in the case of:
  - 26 (A) counties;
  - 27 (B) townships;
  - 28 (C) cities;
  - 29 (D) towns;
  - 30 (E) taxing districts;
  - 31 (F) special taxing districts; and
  - 32 (G) school corporations.

33 (b) In cases where it is necessary to provide for the refunding of  
 34 bonds or interest coupons maturing at various times over a period not  
 35 exceeding six (6) months, the bodies and officials charged with the  
 36 duty of issuing and selling the refunding bonds may, for the purpose of  
 37 reducing the cost of issuance of the bonds, issue and sell one (1) issue  
 38 of bonds in an amount sufficient to provide for the refunding of all of  
 39 the bonds and interest coupons required to be refunded during the six  
 40 (6) month period."

1           Page 11, between lines 13 and 14, begin a new paragraph and insert:  
 2           "SECTION 11. IC 6-1.1-18.5-31.5 IS ADDED TO THE INDIANA  
 3           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 4           [EFFECTIVE UPON PASSAGE]: **Sec. 31.5. (a) This section applies**  
 5           **only to Shelby County.**

6           **(b) The executive of the county may, after approval by the fiscal**  
 7           **body of the county, submit a petition to the department of local**  
 8           **government finance requesting an increase in the county's**  
 9           **maximum permissible ad valorem property tax levy for property**  
 10           **taxes first due and payable in 2026. A petition must be submitted**  
 11           **not later than September 1, 2025.**

12           **(c) If the executive of the county submits a petition under**  
 13           **subsection (b), the department of local government finance shall**  
 14           **increase the county's maximum permissible ad valorem property**  
 15           **tax levy for property taxes first due and payable in 2026. The**  
 16           **amount of the increase under this section is equal to the difference**  
 17           **between:**

18           **(1) the lesser of:**  
 19           **(A) the county's maximum permissible ad valorem**  
 20           **property tax levy for property taxes first due and payable**  
 21           **in 2025; or**  
 22           **(B) the ad valorem property tax levy adopted by the county**  
 23           **fiscal body for property taxes first due and payable in**  
 24           **2025; and**  
 25           **(2) the county's ad valorem property tax levy as certified by**  
 26           **the department of local government finance for property**  
 27           **taxes first due and payable in 2025.**

28           **(d) The adjustment under this section is a temporary, one (1)**  
 29           **time increase to the county's maximum permissible ad valorem**  
 30           **property tax levy for purposes of this chapter.**

31           **(e) This section expires June 30, 2028.**

32           SECTION 12. IC 6-1.1-18.5-32 IS ADDED TO THE INDIANA  
 33           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 34           [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies**  
 35           **only to the Shelby County solid waste management district.**

36           **(b) The board of directors of the solid waste management**  
 37           **district may, upon approval by the county executive, submit a**  
 38           **petition to the department of local government finance for an**  
 39           **increase in the solid waste management district's maximum**  
 40           **permissible ad valorem property tax levy for property taxes due**

1 **and payable in 2026. A petition must be submitted not later than**  
 2 **September 1, 2025.**

3 **(c) If a petition is submitted under subsection (b), the**  
 4 **department of local government finance shall increase the solid**  
 5 **waste management district's maximum permissible ad valorem**  
 6 **property tax levy for property taxes due and payable in 2026. The**  
 7 **amount of the increase under this section is equal to the difference**  
 8 **between:**

9 **(1) the lesser of:**

10 **(A) the solid waste management district's maximum**  
 11 **permissible ad valorem property tax levy for property**  
 12 **taxes first due and payable in 2025; or**

13 **(B) the ad valorem property tax levy adopted for the solid**  
 14 **waste management district by the county fiscal body for**  
 15 **property taxes first due and payable in 2025; and**

16 **(2) the solid waste management district's ad valorem property**  
 17 **tax levy as certified by the department of local government**  
 18 **finance for property taxes first due and payable in 2025.**

19 **(d) The adjustment under this section is a temporary, one (1)**  
 20 **time increase to the solid waste management district's maximum**  
 21 **permissible ad valorem property tax levy.**

22 **(e) This section expires June 30, 2028.**

23 SECTION 13. IC 6-1.1-22-8.1, AS AMENDED BY P.L.159-2020,  
 24 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2025]: Sec. 8.1. (a) The county treasurer shall:

26 (1) except as provided in subsection (h), mail to the last known  
 27 address of each person liable, **as described in subsection (o)**, for  
 28 any property taxes or special assessment, as shown on the tax  
 29 duplicate or special assessment records, or to the last known  
 30 address of the most recent owner shown in the transfer book; and

31 (2) transmit by written, electronic, or other means to a mortgagee  
 32 maintaining an escrow account for a person who is liable for any  
 33 property taxes or special assessments, as shown on the tax  
 34 duplicate or special assessment records;

35 a statement in the form required under subsection (b).

36 (b) The department of local government finance shall prescribe a  
 37 form, subject to the approval of the state board of accounts, for the  
 38 statement under subsection (a) that includes at least the following:

39 (1) A statement of the taxpayer's current and delinquent taxes and  
 40 special assessments.

- 1 (2) A breakdown showing the total property tax and special  
2 assessment liability and the amount of the taxpayer's liability that  
3 will be distributed to each taxing unit in the county.
- 4 (3) An itemized listing for each property tax levy, including:
  - 5 (A) the amount of the tax rate;
  - 6 (B) the entity levying the tax owed; and
  - 7 (C) the dollar amount of the tax owed.
- 8 (4) Information designed to show the manner in which the taxes  
9 and special assessments billed in the tax statement are to be used.
- 10 (5) Information regarding how a taxpayer can obtain information  
11 regarding the taxpayer's notice of assessment or reassessment  
12 under IC 6-1.1-4-22.
- 13 (6) A comparison showing any change in the assessed valuation  
14 for the property as compared to the previous year.
- 15 (7) A comparison showing any change in the property tax and  
16 special assessment liability for the property as compared to the  
17 previous year. The information required under this subdivision  
18 must identify:
  - 19 (A) the amount of the taxpayer's liability distributable to each  
20 taxing unit in which the property is located in the current year  
21 and in the previous year; and
  - 22 (B) the percentage change, if any, in the amount of the  
23 taxpayer's liability distributable to each taxing unit in which  
24 the property is located from the previous year to the current  
25 year.
- 26 (8) An explanation of the following:
  - 27 (A) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or  
28 another law that are available in the taxing district where the  
29 property is located.
  - 30 (B) All property tax deductions that are available in the taxing  
31 district where the property is located.
  - 32 (C) The procedure and deadline for filing for any available  
33 homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another  
34 law and each deduction.
  - 35 (D) The procedure that a taxpayer must follow to:
    - 36 (i) appeal a current assessment; or
    - 37 (ii) petition for the correction of an error related to the  
38 taxpayer's property tax and special assessment liability.
  - 39 (E) The forms that must be filed for an appeal or a petition  
40 described in clause (D).

1 (F) The procedure and deadline that a taxpayer must follow  
2 and the forms that must be used if a credit or deduction has  
3 been granted for the property and the taxpayer is no longer  
4 eligible for the credit or deduction.

5 (G) Notice that an appeal described in clause (D) requires  
6 evidence relevant to the true tax value of the taxpayer's  
7 property as of the assessment date that is the basis for the taxes  
8 payable on that property.

9 The department of local government finance shall provide the  
10 explanation required by this subdivision to each county treasurer.

11 (9) A checklist that shows:

12 (A) homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or  
13 another law and all property tax deductions; and

14 (B) whether each homestead credit and property tax deduction  
15 applies in the current statement for the property transmitted  
16 under subsection (a).

17 (10) A remittance coupon indicating the payment amounts due at  
18 each payment due date and other information determined by the  
19 department of local government finance.

20 (c) The county treasurer shall mail or transmit the statement one (1)  
21 time each year on or before April 15. Whenever a person's tax liability  
22 for a year is due in one (1) installment under IC 6-1.1-7-7 or section 9  
23 of this chapter, a statement that is mailed must include the date on  
24 which the installment is due and denote the amount of money to be  
25 paid for the installment. Whenever a person's tax liability is due in two  
26 (2) installments, a statement that is mailed must contain the dates on  
27 which the first and second installments are due and denote the amount  
28 of money to be paid for each installment. If a statement is returned to  
29 the county treasurer as undeliverable and the forwarding order is  
30 expired, the county treasurer shall notify the county auditor of this fact.  
31 Upon receipt of the county treasurer's notice, the county auditor may,  
32 at the county auditor's discretion, treat the property as not being eligible  
33 for any deductions under IC 6-1.1-12 or any homestead credits under  
34 IC 6-1.1-20.4 and IC 6-3.6-5.

35 (d) All payments of property taxes and special assessments shall be  
36 made to the county treasurer. The county treasurer, when authorized by  
37 the board of county commissioners, may open temporary offices for the  
38 collection of taxes in cities and towns in the county other than the  
39 county seat.

40 (e) The county treasurer, county auditor, and county assessor shall

1 cooperate to generate the information to be included in the statement  
2 under subsection (b).

3 (f) The information to be included in the statement under subsection  
4 (b) must be simply and clearly presented and understandable to the  
5 average individual.

6 (g) After December 31, 2007, a reference in a law or rule to  
7 IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated  
8 as a reference to this section.

9 (h) Transmission of statements and other information under this  
10 subsection applies in a county only if the county legislative body adopts  
11 an authorizing ordinance. Subject to subsection (i), in a county in  
12 which an ordinance is adopted under this subsection for property taxes  
13 and special assessments, a person may, in any manner permitted by  
14 subsection (n), direct the county treasurer and county auditor to  
15 transmit the following to the person by electronic mail:

16 (1) A statement that would otherwise be sent by the county  
17 treasurer to the person by regular mail under subsection (a)(1),  
18 including a statement that reflects installment payment due dates  
19 under section 9.5 or 9.7 of this chapter.

20 (2) A provisional tax statement that would otherwise be sent by  
21 the county treasurer to the person by regular mail under  
22 IC 6-1.1-22.5-6.

23 (3) A reconciling tax statement that would otherwise be sent by  
24 the county treasurer to the person by regular mail under any of the  
25 following:

26 (A) Section 9 of this chapter.

27 (B) Section 9.7 of this chapter.

28 (C) IC 6-1.1-22.5-12, including a statement that reflects  
29 installment payment due dates under IC 6-1.1-22.5-18.5.

30 (4) Any other information that:

31 (A) concerns the property taxes or special assessments; and

32 (B) would otherwise be sent:

33 (i) by the county treasurer or the county auditor to the person  
34 by regular mail; and

35 (ii) before the last date the property taxes or special  
36 assessments may be paid without becoming delinquent.

37 The information listed in this subsection may be transmitted to a person  
38 by using electronic mail that provides a secure Internet link to the  
39 information.

40 (i) For property with respect to which more than one (1) person is

1 liable for property taxes and special assessments, subsection (h) applies  
 2 only if all the persons liable for property taxes and special assessments  
 3 designate the electronic mail address for only one (1) individual  
 4 authorized to receive the statements and other information referred to  
 5 in subsection (h).

6 (j) The department of local government finance shall create a form  
 7 to be used to implement subsection (h). The county treasurer and  
 8 county auditor shall:

9 (1) make the form created under this subsection available to the  
 10 public;

11 (2) transmit a statement or other information by electronic mail  
 12 under subsection (h) to a person who files, on or before March 15,  
 13 the form created under this subsection:

14 (A) with the county treasurer; or

15 (B) with the county auditor; and

16 (3) publicize the availability of the electronic mail option under  
 17 this subsection through appropriate media in a manner reasonably  
 18 designed to reach members of the public.

19 (k) The form referred to in subsection (j) must:

20 (1) explain that a form filed as described in subsection (j)(2)  
 21 remains in effect until the person files a replacement form to:

22 (A) change the person's electronic mail address; or

23 (B) terminate the electronic mail option under subsection (h);

24 and

25 (2) allow a person to do at least the following with respect to the  
 26 electronic mail option under subsection (h):

27 (A) Exercise the option.

28 (B) Change the person's electronic mail address.

29 (C) Terminate the option.

30 (D) For a person other than an individual, designate the  
 31 electronic mail address for only one (1) individual authorized  
 32 to receive the statements and other information referred to in  
 33 subsection (h).

34 (E) For property with respect to which more than one (1)  
 35 person is liable for property taxes and special assessments,  
 36 designate the electronic mail address for only one (1)  
 37 individual authorized to receive the statements and other  
 38 information referred to in subsection (h).

39 (l) The form created under subsection (j) is considered filed with the  
 40 county treasurer or the county auditor on the postmark date or on the

1 date it is electronically submitted. If the postmark is missing or  
 2 illegible, the postmark is considered to be one (1) day before the date  
 3 of receipt of the form by the county treasurer or the county auditor.

4 (m) The county treasurer shall maintain a record that shows at least  
 5 the following:

6 (1) Each person to whom a statement or other information is  
 7 transmitted by electronic mail under this section.

8 (2) The information included in the statement.

9 (3) Whether the county treasurer received a notice that the  
 10 person's electronic mail was undeliverable.

11 (n) A person may direct the county treasurer and county auditor to  
 12 transmit information by electronic mail under subsection (h) on a form  
 13 prescribed by the department submitted:

14 (1) in person;

15 (2) by mail; or

16 (3) in an online format developed by the county and approved by  
 17 the department.

18 **(o) Liability, for purposes of subsection (a), means property**  
 19 **taxes or special assessments that are greater than zero dollars (\$0).**

20 **(p) The county treasurer is not required to mail or transmit a**  
 21 **statement for property that is exempt from taxation and does not**  
 22 **have a reported assessed value.**

23 SECTION 14. IC 6-1.1-22-19 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2025]: **Sec. 19. (a) This section applies to real**  
 26 **property tax statements provided to taxpayers after December 31,**  
 27 **2025.**

28 **(b) In a manner determined by the department of local**  
 29 **government finance, the department of local government finance**  
 30 **shall include on the coupon page of the property tax statement**  
 31 **prescribed by the department of local government finance**  
 32 **educational information regarding the eligibility and procedures**  
 33 **for the following deductions available to certain eligible taxpayers:**

34 **(1) The deduction for a person sixty-five (65) years of age or**  
 35 **older under IC 6-1.1-12-9.**

36 **(2) The deduction for a veteran with a partial disability under**  
 37 **IC 6-1.1-12-13.**

38 **(3) The deduction for a totally disabled veteran or a veteran**  
 39 **who is at least sixty-two (62) years of age who is partially**  
 40 **disabled under IC 6-1.1-12-14.**

1           **(4) The deduction for a disabled veteran under**  
2           **IC 6-1.1-12-14.5.**

3           **(5) The deduction for a surviving spouse of a veteran under**  
4           **IC 6-1.1-12-16."**

5           Page 13, delete lines 38 through 42.

6           Delete pages 14 through 15.

7           Page 16, delete line 1, begin a new paragraph and insert:

8           "SECTION 16. IC 14-27-6-40, AS AMENDED BY P.L.236-2023,  
9           SECTION 127, IS AMENDED TO READ AS FOLLOWS  
10           [EFFECTIVE JULY 1, 2025]: Sec. 40. The provisions of IC 5-1 and  
11           IC 6-1.1-20 relating to the following apply to proceedings under this  
12           chapter:

13           (1) The filing of a petition requesting the issuance of bonds and  
14           giving notice of the petition.

15           (2) The giving of notice of determination to issue bonds.

16           (3) The giving of notice of hearing on the appropriation of the  
17           proceeds of bonds and the right of taxpayers to appeal and be  
18           heard on the proposed appropriation.

19           (4) The approval of the appropriation by the department of local  
20           government finance.

21           (5) The right of:

22           (A) taxpayers and voters to remonstrate against the issuance of  
23           bonds in the case of a proposed bond issue described by  
24           IC 6-1.1-20-3.1(a); or

25           (B) voters to vote on the issuance of bonds in the case of a  
26           proposed bond issue described by IC 6-1.1-20-3.5(a).

27           (6) The sale of bonds at:

28           (A) a public sale for not less than the par value; or

29           (B) alternatively, a negotiated sale after June 30, 2018, and  
30           before July 1, ~~2025~~: **2027**.

31           SECTION 17. IC 20-48-1-4, AS AMENDED BY P.L.236-2023,  
32           SECTION 157, IS AMENDED TO READ AS FOLLOWS  
33           [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Bonds issued by a school  
34           corporation shall be sold:

35           (1) at a public sale; or

36           (2) alternatively, at a negotiated sale after June 30, 2018, and  
37           before July 1, ~~2025~~: **2027**.

38           (b) If the bonds are sold at a public sale, the bonds must be sold at:

39           (1) not less than par value;

40           (2) a public sale as provided by IC 5-1-11; and

- 1 (3) any rate or rates of interest determined by the bidding.
- 2 (c) This subsection does not apply to bonds for which a school
- 3 corporation:
- 4 (1) after June 30, 2008, makes a preliminary determination as
- 5 described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as
- 6 described in IC 6-1.1-20-5; or
- 7 (2) in the case of bonds not subject to IC 6-1.1-20-3.1,
- 8 IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or ordinance
- 9 authorizing the bonds after June 30, 2008.

10 If the net interest cost exceeds eight percent (8%) per year, the bonds

11 must not be issued until the issuance is approved by the department of

12 local government finance.

13 SECTION 18. IC 36-2-2-4, AS AMENDED BY P.L.201-2023,

14 SECTION 265, IS AMENDED TO READ AS FOLLOWS

15 [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) This subsection does not

16 apply to the following counties:

- 17 (1) A county having a population of more than ~~four hundred~~
- 18 ~~thousand (400,000)~~ **four hundred fifty thousand (450,000)** and
- 19 less than seven hundred thousand (700,000).
- 20 (2) A county having a population of more than one hundred
- 21 eighty-five thousand (185,000) and less than three hundred
- 22 thousand (300,000).

23 The executive shall divide the county into three (3) districts that are

24 composed of contiguous territory and are reasonably compact. The

25 district boundaries drawn by the executive must not cross precinct

26 boundary lines and must divide townships only when a division is

27 clearly necessary to accomplish redistricting under this section. If

28 necessary, the county auditor shall call a special meeting of the

29 executive to establish or revise districts.

30 (b) This subsection applies to a county having a population of more

31 than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand**

32 **(450,000)** and less than seven hundred thousand (700,000). A county

33 redistricting commission shall divide the county into three (3)

34 single-member districts that comply with subsection (d). The

35 commission is composed of:

- 36 (1) the members of the Indiana election commission;
- 37 (2) two (2) members of the senate selected by the president pro
- 38 tempore, one (1) from each political party; and
- 39 (3) two (2) members of the house of representatives selected by
- 40 the speaker, one (1) from each political party.

1 The legislative members of the commission have no vote and may act  
2 only in an advisory capacity. A majority vote of the voting members is  
3 required for the commission to take action. The commission may meet  
4 as frequently as necessary to perform its duty under this subsection.  
5 The commission's members serve without additional compensation  
6 above that provided for them as members of the Indiana election  
7 commission, the senate, or the house of representatives.

8 (c) This subsection applies to a county having a population of more  
9 than one hundred eighty-five thousand (185,000) and less than three  
10 hundred thousand (300,000) that opts in to the system of county  
11 government described in subsection (d), sections 4.7(c) and 5(d)(2) of  
12 this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and IC 36-2-3.5-1(2) by  
13 passing a resolution by a majority vote of its executive body not later  
14 than September 1, 2023. In the event the executive body of a county  
15 described in this subsection does not opt in by September 1, 2023, the  
16 county shall be governed by the general provisions of this chapter. The  
17 executive shall divide the county into three (3) single-member districts  
18 that comply with subsection (d).

19 (d) Single-member districts established under subsection (b) or (c)  
20 must:

21 (1) be compact, subject only to natural boundary lines (such as  
22 railroads, major highways, rivers, creeks, parks, and major  
23 industrial complexes);

24 (2) contain, as nearly as is possible, equal population; and

25 (3) not cross precinct lines.

26 (e) Except as provided by subsection (f), a division under subsection  
27 (a), (b), or (c) shall be made only at times permitted under IC 3-5-10.

28 (f) If the county executive or county redistricting commission  
29 determines that a division under subsection (e) is not required, the  
30 county executive or county redistricting commission shall adopt an  
31 ordinance recertifying that the districts as drawn comply with this  
32 section.

33 (g) Each time there is a division under subsection (e) or a  
34 recertification under subsection (f), the county executive or county  
35 redistricting commission shall file with the circuit court clerk of the  
36 county, not later than thirty (30) days after the division or  
37 recertification occurs, a map of the district boundaries:

38 (1) adopted under subsection (e); or

39 (2) recertified under subsection (f).

40 (h) The limitations set forth in this section are part of the ordinance,

1 but do not have to be specifically set forth in the ordinance. The  
 2 ordinance must be construed, if possible, to comply with this chapter.  
 3 If a provision of the ordinance or an application of the ordinance  
 4 violates this chapter, the invalidity does not affect the other provisions  
 5 or applications of the ordinance that can be given effect without the  
 6 invalid provision or application. The provisions of the ordinance are  
 7 severable.

8 (i) IC 3-5-10 applies to a plan established under this section.

9 SECTION 19. IC 36-2-2-5, AS AMENDED BY P.L.201-2023,  
 10 SECTION 267, IS AMENDED TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) To be eligible for election to  
 12 the executive, a person must meet the qualifications prescribed by  
 13 IC 3-8-1-21.

14 (b) A member of the executive must reside within:

15 (1) the county as provided in Article 6, Section 6 of the  
 16 Constitution of the State of Indiana; and

17 (2) the district from which the member was elected.

18 (c) If the person does not remain a resident of the county and district  
 19 after taking office, the person forfeits the office. The county fiscal body  
 20 shall declare the office vacant whenever a member of the executive  
 21 forfeits office under this subsection.

22 (d) In a county having a population of:

23 (1) more than ~~four hundred thousand (400,000)~~ **four hundred**  
 24 **fifty thousand (450,000)** and less than seven hundred thousand  
 25 (700,000); or

26 (2) more than one hundred eighty-five thousand (185,000) and  
 27 less than three hundred thousand (300,000) that opts in to the  
 28 system of county government as described in section 4(c) of this  
 29 chapter;

30 one (1) member of the executive shall be elected by the voters of each  
 31 of the three (3) single-member districts established under section 4(b)  
 32 or 4(c) of this chapter. In other counties, all three (3) members of the  
 33 executive shall be elected by the voters of the whole county.

34 SECTION 20. IC 36-2-3.5-1, AS AMENDED BY P.L.201-2023,  
 35 SECTION 270, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies to the  
 37 following counties:

38 (1) A county having a population of more than ~~four hundred~~  
 39 ~~thousand (400,000)~~ **four hundred fifty thousand (450,000)** and  
 40 less than seven hundred thousand (700,000).

1 (2) A county having a population of more than one hundred  
 2 eighty-five thousand (185,000) and less than three hundred  
 3 thousand (300,000) that opts in to the system of county  
 4 government as described in IC 36-2-2-4(c).

5 (3) Any other county not having a consolidated city, if both the  
 6 county executive and the county fiscal body adopt identical  
 7 ordinances providing for the county to be governed by this  
 8 chapter beginning on a specified effective date.

9 SECTION 21. IC 36-3-5-8, AS AMENDED BY P.L.236-2023,  
 10 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies whenever  
 12 a special taxing district of the consolidated city has the power to issue  
 13 bonds, notes, or warrants.

14 (b) Before any bonds, notes, or warrants of a special taxing district  
 15 may be issued, the issue must be approved by resolution of the  
 16 legislative body of the consolidated city.

17 (c) Any bonds of a special taxing district must be issued in the  
 18 manner prescribed by statute for that district, and the board of the  
 19 department having jurisdiction over the district shall:

20 (1) hold all required hearings;

21 (2) adopt all necessary resolutions; and

22 (3) appropriate the proceeds of the bonds;

23 in that manner. However, the legislative body shall levy each year the  
 24 special tax required to pay the principal of and interest on the bonds  
 25 and any bank paying charges.

26 (d) Notwithstanding any other statute, bonds of a special taxing  
 27 district may:

28 (1) be dated;

29 (2) be issued in any denomination;

30 (3) except as otherwise provided by IC 5-1-14-10, mature at any  
 31 time or times not exceeding fifty (50) years after their date; and

32 (4) be payable at any bank or banks;

33 as determined by the board. If the bonds are sold at a public sale, the  
 34 interest rate or rates that the bonds will bear must be determined by  
 35 bidding, notwithstanding IC 5-1-11-3.

36 (e) Bonds of a special taxing district are subject to the provisions of  
 37 IC 5-1 and IC 6-1.1-20 relating to the following:

38 (1) The filing of a petition requesting the issuance of bonds and  
 39 giving notice of the petition.

40 (2) The giving of notice of a hearing on the appropriation of the

- 1 proceeds of bonds.
- 2 (3) The right of taxpayers to appear and be heard on the proposed
- 3 appropriation.
- 4 (4) The approval of the appropriation by the department of local
- 5 government finance.
- 6 (5) The right of:
- 7 (A) taxpayers and voters to remonstrate against the issuance of
- 8 bonds in the case of a proposed bond issue described by
- 9 IC 6-1.1-20-3.1(a); or
- 10 (B) voters to vote on the issuance of bonds in the case of a
- 11 proposed bond issue described by IC 6-1.1-20-3.5(a).
- 12 (6) The sale of bonds at a public sale or at a negotiated sale after
- 13 June 30, 2018, and before July 1, ~~2025~~: **2027**.
- 14 (7) The maximum term or repayment period provided by
- 15 IC 5-1-14-10.
- 16 SECTION 22. IC 36-7-18-31, AS AMENDED BY P.L.236-2023,
- 17 SECTION 187, IS AMENDED TO READ AS FOLLOWS
- 18 [EFFECTIVE JULY 1, 2025]: Sec. 31. (a) Issues of bonds, notes, or
- 19 warrants of a housing authority must be approved by the fiscal body of
- 20 the unit after a public hearing, with notice of the time, place, and
- 21 purpose of the hearing given by publication in accordance with
- 22 IC 5-3-1. The bonds, notes, or warrants must then be authorized by
- 23 resolution of the authority.
- 24 (b) After the bonds, notes, or warrants have been approved under
- 25 subsection (a), they may be issued in one (1) or more series, with the:
- 26 (1) dates;
- 27 (2) maturities;
- 28 (3) denominations;
- 29 (4) form, either coupon or registered;
- 30 (5) conversion or registration privileges;
- 31 (6) rank or priority;
- 32 (7) manner of execution;
- 33 (8) medium of payment;
- 34 (9) places of payment; and
- 35 (10) terms of redemption, with or without premium;
- 36 provided by the resolution or its trust indenture or mortgage.
- 37 (c) The bonds, notes, or warrants shall be sold at a public sale under
- 38 IC 5-1-11, for not less than par value, after notice published in
- 39 accordance with IC 5-3-1. However, they may be sold at not less than
- 40 par value to the federal government:

- 1 (1) at private sale without any public advertisement; or  
2 (2) alternatively, at a negotiated sale after July 1, 2018, and before  
3 June 30, ~~2025~~ **2027**.

4 (d) If any of the commissioners or officers of the housing authority  
5 whose signatures appear on any bonds, notes, or warrants or coupons  
6 cease to be commissioners or officers before the delivery, exchange, or  
7 substitution of the bonds, notes, or warrants, their signatures remain  
8 valid and sufficient for all purposes, as if they had remained in office  
9 until the delivery, exchange, or substitution.

10 (e) Subject to provision for registration and notwithstanding any  
11 other law, any bonds, notes, or warrants issued under this chapter are  
12 fully negotiable.

13 (f) In any proceedings involving the validity or enforceability of any  
14 bond, note, or warrant of a housing authority or of its security, if the  
15 instrument states that it has been issued by the authority to aid in  
16 financing a housing project to provide dwelling accommodations for  
17 persons of low income, it shall be conclusively presumed to have been  
18 issued for that purpose and the project shall be conclusively presumed  
19 to have been planned, located, and constructed in accordance with this  
20 chapter.

21 SECTION 23. IC 36-7.5-6-5, AS ADDED BY P.L.195-2023,  
22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2025]: Sec. 5. (a) In each state fiscal year beginning after June  
24 30, 2023, the city of Gary shall transfer up to three million dollars  
25 (\$3,000,000) to the development authority for deposit in the fund.

26 (b) In each state fiscal year beginning after June 30, 2023, and  
27 ending before July 1, 2025, the development authority shall deposit  
28 three million dollars (\$3,000,000) in the fund from reserve amounts  
29 held by the development authority.

30 (c) After June 30, 2025, but not later than July 1, ~~2026~~ **2027**, the  
31 development authority shall be reimbursed for all amounts deposited  
32 under subsection (b) using money in the fund. Budget committee  
33 review is not required for reimbursement under this subsection.

34 SECTION 24. IC 36-10-3-24, AS AMENDED BY P.L.236-2023,  
35 SECTION 212, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) In order to raise money to  
37 pay for land to be acquired for any of the purposes named in this  
38 chapter, to pay for an improvement authorized by this chapter, or both,  
39 and in anticipation of the special benefit tax to be levied as provided in  
40 this chapter, the board shall cause to be issued, in the name of the unit,

1 the bonds of the district. The bonds may not exceed in amount the total  
 2 cost of all land to be acquired and all improvements described in the  
 3 resolution, including all expenses necessarily incurred in connection  
 4 with the proceedings, together with a sum sufficient to pay the costs of  
 5 supervision and inspection during the period of construction of a work.  
 6 The expenses to be covered in the bond issue include all expenses of  
 7 every kind actually incurred preliminary to acquiring the land and the  
 8 construction of the work, such as the cost of the necessary record,  
 9 engineering expenses, publication of notices, preparation of bonds, and  
 10 other necessary expenses. If more than one (1) resolution or proceeding  
 11 of the board under section 23 of this chapter is confirmed whereby  
 12 different parcels of land are to be acquired, or more than one (1)  
 13 contract for work is let by the board at approximately the same time,  
 14 the cost involved under all of the resolutions and proceedings may be  
 15 included in one (1) issue of bonds.

16 (b) The bonds may be issued in any denomination not less than one  
 17 thousand dollars (\$1,000) each, in not less than five (5) nor more than  
 18 forty (40) annual series. The bonds are payable one (1) series each  
 19 year, beginning at a date after the receipt of taxes from a levy made for  
 20 that purpose. The bonds are negotiable. The bonds may bear interest at  
 21 any rate, payable semiannually. After adopting a resolution ordering  
 22 bonds, the board shall certify a copy of the resolution to the unit's fiscal  
 23 officer. The fiscal officer shall prepare the bonds, and the unit's  
 24 executive shall execute them, attested by the fiscal officer.

25 (c) The bonds and the interest on them are exempt from taxation as  
 26 prescribed by IC 6-8-5-1. Bonds issued under this section are subject  
 27 to the provisions of IC 5-1 and IC 6-1.1-20 relating to:

- 28 (1) the filing of a petition requesting the issuance of bonds;
- 29 (2) the right of:
  - 30 (A) taxpayers and voters to remonstrate against the issuance of
  - 31 bonds in the case of a proposed bond issue described by
  - 32 IC 6-1.1-20-3.1(a); or
  - 33 (B) voters to vote on the issuance of bonds in the case of a
  - 34 proposed bond issue described by IC 6-1.1-20-3.5(a);
- 35 (3) the appropriation of the proceeds of the bonds and approval by
- 36 the department of local government finance; and
- 37 (4) the sale of bonds at:
  - 38 (A) a public sale for not less than their par value; or
  - 39 (B) a negotiated sale after June 30, 2018, and before July 1,
  - 40 ~~2025~~. **2027**.

1 (d) The board may not have bonds of the district issued under this  
2 section that are payable by special taxation when the total issue for that  
3 purpose, including the bonds already issued or to be issued, exceeds  
4 two percent (2%) of the adjusted value of the taxable property in the  
5 district as determined under IC 36-1-15. All bonds or obligations  
6 issued in violation of this subsection are void. The bonds are not  
7 obligations or indebtedness of the unit, but constitute an indebtedness  
8 of the district as a special taxing district. The bonds and interest are  
9 payable only out of a special tax levied upon all the property of the  
10 district as prescribed by this chapter. The bonds must recite the terms  
11 upon their face, together with the purposes for which they are issued.

12 SECTION 25. IC 36-10-8-16, AS AMENDED BY P.L.236-2023,  
13 SECTION 213, IS AMENDED TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A capital improvement may  
15 be financed in whole or in part by the issuance of general obligation  
16 bonds of the county or, if the board was created under IC 18-7-18  
17 (before its repeal on February 24, 1982), also of the city, if the board  
18 determines that the estimated annual net income of the capital  
19 improvement, plus the estimated annual tax revenues to be derived  
20 from any tax revenues made available for this purpose, will not be  
21 sufficient to satisfy and pay the principal of and interest on all bonds  
22 issued under this chapter, including the bonds then proposed to be  
23 issued.

24 (b) If the board desires to finance a capital improvement in whole  
25 or in part as provided in this section, it shall have prepared a resolution  
26 to be adopted by the county executive authorizing the issuance of  
27 general obligation bonds, or, if the board was created under IC 18-7-18  
28 (before its repeal on February 24, 1982), by the fiscal body of the city  
29 authorizing the issuance of general obligation bonds. The resolution  
30 must set forth an itemization of the funds and assets received by the  
31 board, together with the board's valuation and certification of the cost.  
32 The resolution must state the date or dates on which the principal of the  
33 bonds is payable, the maximum interest rate to be paid, and the other  
34 terms upon which the bonds shall be issued. The board shall submit the  
35 proposed resolution to the proper officers, together with a certificate to  
36 the effect that the issuance of bonds in accordance with the resolution  
37 will be in compliance with this section. The certificate must also state  
38 the estimated annual net income of the capital improvement to be  
39 financed by the bonds, the estimated annual tax revenues, and the  
40 maximum amount payable in any year as principal and interest on the

1 bonds issued under this chapter, including the bonds proposed to be  
 2 issued, at the maximum interest rate set forth in the resolution. The  
 3 bonds issued may mature over a period not exceeding forty (40) years  
 4 from the date of issue.

5 (c) Upon receipt of the resolution and certificate, the proper officers  
 6 may adopt them and take all action necessary to issue the bonds in  
 7 accordance with the resolution. An action to contest the validity of  
 8 bonds issued under this section and sold at a public sale may not be  
 9 brought after the fifteenth day following the receipt of bids for the  
 10 bonds.

11 (d) The provisions of all general statutes relating to:

12 (1) the filing of a petition requesting the issuance of bonds and  
 13 giving notice;

14 (2) the right of:

15 (A) taxpayers and voters to remonstrate against the issuance of  
 16 bonds in the case of a proposed bond issue described by  
 17 IC 6-1.1-20-3.1(a); or

18 (B) voters to vote on the issuance of bonds in the case of a  
 19 proposed bond issue described by IC 6-1.1-20-3.5(a);

20 (3) the giving of notice of the determination to issue bonds;

21 (4) the giving of notice of a hearing on the appropriation of the  
 22 proceeds of bonds;

23 (5) the right of taxpayers to appear and be heard on the proposed  
 24 appropriation;

25 (6) the approval of the appropriation by the department of local  
 26 government finance; and

27 (7) the sale of bonds at a public sale or at a negotiated sale after  
 28 June 30, 2018, and before July 1, ~~2025~~; **2027**;

29 apply to the issuance of bonds under this section.

30 SECTION 26. IC 36-10-9-15, AS AMENDED BY P.L.236-2023,  
 31 SECTION 214, IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) A capital improvement may  
 33 be financed in whole or in part by the issuance of general obligation  
 34 bonds of the county.

35 (b) If the board desires to finance a capital improvement in whole  
 36 or in part as provided in this section, it shall have prepared a resolution  
 37 to be adopted by the board of commissioners of the county authorizing  
 38 the issuance of general obligation bonds. The resolution must state the  
 39 date or dates on which the principal of the bonds is payable, the  
 40 maximum interest rate to be paid, and the other terms upon which the

1 bonds shall be issued. The board shall submit the proposed resolution  
 2 to the city-county legislative body for approval under IC 36-3-6-9,  
 3 together with a certificate to the effect that the issuance of bonds in  
 4 accordance with the resolution will be in compliance with this section.  
 5 The certificate must also state the estimated annual net income of the  
 6 capital improvement to be financed by the bonds, the estimated annual  
 7 tax revenues, and the maximum amount payable in any year as  
 8 principal and interest on the bonds issued under this chapter, including  
 9 the bonds proposed to be issued, at the maximum interest rate set forth  
 10 in the resolution. The bonds issued may mature over a period not  
 11 exceeding forty (40) years from the date of issue.

12 (c) If the city-county legislative body approves the issuance of  
 13 bonds under IC 36-3-6-9, the board shall submit the resolution to the  
 14 executive of the consolidated city, who shall review the resolution. If  
 15 the executive approves the resolution, the board shall take all action  
 16 necessary to issue the bonds in accordance with the resolution. An  
 17 action to contest the validity of bonds issued under this section and sold  
 18 at a public sale may not be brought after the fifteenth day following the  
 19 receipt of bids for the bonds.

20 (d) The provisions of all general statutes relating to:

21 (1) the filing of a petition requesting the issuance of bonds and  
 22 giving notice;

23 (2) the right of:

24 (A) taxpayers and voters to remonstrate against the issuance of  
 25 bonds in the case of a proposed bond issue described by  
 26 IC 6-1.1-20-3.1(a); or

27 (B) voters to vote on the issuance of bonds in the case of a  
 28 proposed bond issue described by IC 6-1.1-20-3.5(a);

29 (3) the giving of notice of the determination to issue bonds;

30 (4) the giving of notice of a hearing on the appropriation of the  
 31 proceeds of bonds;

32 (5) the right of taxpayers to appear and be heard on the proposed  
 33 appropriation;

34 (6) the approval of the appropriation by the department of local  
 35 government finance; and

36 (7) the sale of bonds at a public sale for not less than par value or  
 37 at a negotiated sale after June 30, 2018, and before July 1, ~~2025;~~

38 **2027;**

39 are applicable to the issuance of bonds under this section.

40 SECTION 27. IC 36-10-10-20, AS AMENDED BY P.L.236-2023,

1 SECTION 215, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) The bonds shall be executed  
 3 by the president of the board, and the corporate seal of the authority  
 4 shall be affixed and attested by the secretary of the board. The interest  
 5 coupons attached to the bonds shall be executed by placing the  
 6 facsimile signature of the treasurer on them. The bonds shall be sold by  
 7 the board:

8 (1) at a public sale for not less than the par value; or

9 (2) alternatively, at a negotiated sale after June 30, 2018, and  
 10 before July 1, ~~2025~~. **2027**.

11 Notice of sale shall be published in accordance with IC 5-3-1.

12 (b) If the bonds are sold at a public sale, the board shall award the  
 13 bonds to the highest bidder as determined by computing the total  
 14 interest on the bonds from the date of issue to the dates of maturity and  
 15 deducting the premium bid, if any, unless the board determines that no  
 16 acceptable bid has been received. In that case the sale may be  
 17 continued from day to day, not to exceed thirty (30) days. A bid may  
 18 not be accepted that is lower than the highest bid received at the time  
 19 fixed for sale in the bond sale notice.

20 (c) Any premium received from the sale of the bonds shall be used  
 21 solely for the payment of principal and interest on the bonds. The board  
 22 may also issue refunding bonds under IC 5-1-5.

23 SECTION 28. IC 36-10-11-21, AS AMENDED BY P.L.236-2023,  
 24 SECTION 216, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2025]: Sec. 21. (a) The bonds shall be executed  
 26 by the president of the board, and the corporate seal of the authority  
 27 shall be affixed and attested by the secretary of the board. The interest  
 28 coupons attached to the bonds shall be executed by placing the  
 29 facsimile signature of the treasurer on them. The bonds shall be sold by  
 30 the board:

31 (1) at public sale for not less than the par value; or

32 (2) alternatively, at a negotiated sale after June 30, 2018, and  
 33 before July 1, ~~2025~~. **2027**.

34 Notice of sale shall be published in accordance with IC 5-3-1.

35 (b) If the bonds are sold at a public sale, the board shall award the  
 36 bonds to the highest bidder as determined by computing the total  
 37 interest on the bonds from the date of issue to the dates of maturity and  
 38 deducting the premium bid, if any. If the bonds are not sold on the date  
 39 fixed for the sale, the sale may be continued from day to day until a  
 40 satisfactory bid has been received.

1 (c) Any premium received from the sale of the bonds shall be used  
2 solely for the payment of principal and interest on the bonds.

3 (d) Before the preparation of definitive bonds, temporary bonds may  
4 under like restrictions be issued with or without coupons, exchangeable  
5 for definitive bonds upon the issuance of the latter. The total amount  
6 of bonds issued by the authority under this section, when added to any  
7 loan or loans negotiated under section 22 of this chapter, may not  
8 exceed three million dollars (\$3,000,000)."

9 Page 16, line 7, after "(2)" insert "**as of the 2020 federal decennial**  
10 **census,**".

11 Page 17, after line 11, begin a new paragraph and insert:

12 "**(f) In the case of a school corporation with territory in more**  
13 **than one (1) county, the governing body of the school corporation**  
14 **may impose the property tax levy under this section only on real**  
15 **and personal property in the school corporation's territory that is**  
16 **located in the county described in subsection (a).**

17 **(g) The property tax rate and levy imposed under this chapter:**  
18 **(1) must be certified by the department of local government**  
19 **finance under IC 6-1.1-17-16; and**  
20 **(2) are not considered part of the maximum permissible ad**  
21 **valorem property tax levy under IC 20-46-8-1 for the school**  
22 **corporation's operations fund.**

23 SECTION 30. **An emergency is declared for this act.**"

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1427 as introduced.)