

PROPOSED AMENDMENT

HB 1004 # 26

DIGEST

First class mail. Removes provisions requiring the proper officers of a political subdivision to send notice by first class mail to certain organizations for certain meetings.

- 1 Page 5, between lines 13 and 14, begin a new paragraph and insert:
2 "SECTION 4. IC 6-1.1-20-3.1, AS AMENDED BY P.L.68-2025,
3 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 3.1. (a) Subject to section 3.5(a)(1)(C) of this
5 chapter, this section applies only to the following:
6 (1) A controlled project (as defined in section 1.1 of this chapter
7 as in effect June 30, 2008) for which the proper officers of a
8 political subdivision make a preliminary determination in the
9 manner described in subsection (b) before July 1, 2008.
10 (2) An elementary school building, middle school building, high
11 school building, or other school building for academic instruction
12 that:
13 (A) is a controlled project;
14 (B) will be used for any combination of kindergarten through
15 grade 12; and
16 (C) will not cost more than the lesser of the following:
17 (i) The threshold amount determined under this item. In the
18 case of an ordinance or resolution adopted before January 1,
19 2018, making a preliminary determination to issue bonds or
20 enter into a lease for the project, the threshold amount is ten
21 million dollars (\$10,000,000). In the case of an ordinance or
22 resolution adopted after December 31, 2017, and before
23 January 1, 2019, making a preliminary determination to
24 issue bonds or enter into a lease for the project, the threshold
25 amount is fifteen million dollars (\$15,000,000). In the case
26 of an ordinance or resolution adopted in a calendar year after
27 December 31, 2018, making a preliminary determination to

1 issue bonds or enter into a lease for the project, the threshold
2 amount is an amount (as determined by the department of
3 local government finance) equal to the result of the
4 maximum levy growth quotient determined under
5 IC 6-1.1-18.5-2 for the year multiplied by the threshold
6 amount determined under this item for the preceding
7 calendar year. In the case of a threshold amount determined
8 under this item that applies for a calendar year after
9 December 31, 2018, the department of local government
10 finance shall publish the threshold in the Indiana Register
11 under IC 4-22-7-7 not more than sixty (60) days after the
12 date the budget agency releases the maximum levy growth
13 quotient for the ensuing year under IC 6-1.1-18.5-2.

14 (ii) An amount equal to one percent (1%) of the total gross
15 assessed value of property within the political subdivision
16 on the last assessment date, if that total gross assessed value
17 is more than one billion dollars (\$1,000,000,000), or ten
18 million dollars (\$10,000,000), if the total gross assessed
19 value of property within the political subdivision on the last
20 assessment date is not more than one billion dollars
21 (\$1,000,000,000).

22 (3) Any other controlled project that:

23 (A) is not a controlled project described in subdivision (1) or
24 (2); and

25 (B) will not cost the political subdivision more than the lesser
26 of the following:

27 (i) The threshold amount determined under this item. In the
28 case of an ordinance or resolution adopted before January 1,
29 2018, making a preliminary determination to issue bonds or
30 enter into a lease for the project, the threshold amount is
31 twelve million dollars (\$12,000,000). In the case of an
32 ordinance or resolution adopted after December 31, 2017,
33 and before January 1, 2019, making a preliminary
34 determination to issue bonds or enter into a lease for the
35 project, the threshold amount is fifteen million dollars
36 (\$15,000,000). In the case of an ordinance or resolution
37 adopted in a calendar year after December 31, 2018, making
38 a preliminary determination to issue bonds or enter into a
39 lease for the project, the threshold amount is an amount (as
40 determined by the department of local government finance)

equal to the result of the maximum levy growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the maximum levy growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars (\$100,000,000), or one million dollars (\$1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars (\$100,000,000).

(4) A controlled project funded by debt service if the scope of the project changes from the purpose of the project initially advertised to taxpayers as determined under section 4.2(c) of this chapter.

(5) This subdivision does not apply to a project for which a public hearing to issue bonds or enter into a lease has been conducted under IC 20-26-7-37 before July 1, 2023, or to a project for which an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease is adopted after June 30, 2025.

Any other controlled project if both of the following apply:

(A) The political subdivision's total debt service tax rate is more than forty cents (\$0.40) per one hundred dollars (\$100) of assessed value, but less than eighty cents (\$0.80) per one hundred dollars (\$100) of assessed value.

(B) The controlled project is not otherwise described in section 3.5(a)(1) of this chapter.

This subdivision expires December 31, 2025. For purposes of this subdivision, a political subdivision's total debt service tax rate does not include a tax rate imposed in a referendum debt service levy approved by voters.

(6) Any other controlled project if the following apply:

(A) An ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for the project is adopted after June 30, 2025.

(B) The controlled project is not otherwise described in section 3.5(a)(1) of this chapter.

(C) In the case of a:

(i) school corporation, the school corporation's total debt service tax rate is more than forty cents (\$0.40) per one hundred dollars (\$100) of assessed value, but not more than seventy cents (\$0.70) per one hundred dollars (\$100) of assessed value;

(ii) city, county, or town, the city's, county's, or town's total debt service tax rate is more than twenty-five cents (\$0.25) per one hundred dollars (\$100) of assessed value, but not more than forty cents (\$0.40) per one hundred dollars (\$100) of assessed value; or

(iii) political subdivision not described in item (i) or (ii), the political subdivision's total debt service tax rate is more than five cents (\$0.05) per one hundred dollars (\$100) of assessed value, but not more than ten cents (\$0.10) per one hundred dollars (\$100) of assessed value.

However, this subdivision does not apply to a project for which a public hearing to issue bonds or enter into a lease has been conducted under IC 20-26-7-37 before July 1, 2025. For purposes of this subdivision, a political subdivision's total debt service tax rate does not include a tax rate imposed in a referendum debt service tax levy approved by voters.

(b) A political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk ~~and to any organization that delivers to the officers, before January 1 of that year, an annual written request for such notices of any meeting to consider adoption of a resolution or an ordinance making a preliminary determination to issue bonds or enter into a lease~~ and shall conduct at least two (2) public hearings on a preliminary determination before adoption of the resolution or ordinance. The political subdivision must at each of the public hearings on the preliminary determination

allow the public to testify regarding the preliminary determination and must make the following information available to the public at each of the public hearings on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

(i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by

(ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(H).

(2) When the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease for a controlled project, the officers shall give notice of the preliminary determination by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the circuit court clerk. ~~and to the organizations described in subdivision (1).~~

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease for a controlled project must include the following information:

(A) The maximum term of the bonds or lease.

(B) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(D) The purpose of the bonds or lease.

(E) A statement that any owners of property within the political subdivision or registered voters residing within the political subdivision who want to initiate a petition and remonstrance process against the proposed debt service or lease payments must file a petition that complies with subdivisions (4) and (5) not later than thirty (30) days after

- 1 publication in accordance with IC 5-3-1.
- 2 (F) With respect to bonds issued or a lease entered into to
- 3 open:
- 4 (i) a new school facility; or
- 5 (ii) an existing facility that has not been used for at least
- 6 three (3) years and that is being reopened to provide
- 7 additional classroom space;
- 8 the estimated costs the school corporation expects to incur
- 9 annually to operate the facility.
- 10 (G) A statement of whether the school corporation expects to
- 11 appeal for a new facility adjustment (as defined in
- 12 IC 20-45-1-16 (repealed) before January 1, 2009) for an
- 13 increased maximum permissible tuition support levy to pay the
- 14 estimated costs described in clause (F).
- 15 (H) The following information:
- 16 (i) The political subdivision's current debt service levy and
- 17 rate.
- 18 (ii) The estimated increase to the political subdivision's debt
- 19 service levy and rate that will result if the political
- 20 subdivision issues the bonds or enters into the lease.
- 21 (iii) The estimated amount of the political subdivision's debt
- 22 service levy and rate that will result during the following ten
- 23 (10) years if the political subdivision issues the bonds or
- 24 enters into the lease, after also considering any changes that
- 25 will occur to the debt service levy and rate during that
- 26 period on account of any outstanding bonds or lease
- 27 obligations that will mature or terminate during that period.
- 28 (I) The information specified in subdivision (1)(A) through
- 29 (1)(B).
- 30 (4) After notice is given, a petition requesting the application of
- 31 a petition and remonstrance process may be filed by the lesser of:
- 32 (A) five hundred (500) persons who are either owners of
- 33 property within the political subdivision or registered voters
- 34 residing within the political subdivision; or
- 35 (B) five percent (5%) of the registered voters residing within
- 36 the political subdivision.
- 37 (5) The state board of accounts shall design and, upon request by
- 38 the county voter registration office, deliver to the county voter
- 39 registration office or the county voter registration office's
- 40 designated printer the petition forms to be used solely in the

petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:

(A) the carrier and signers must be owners of property or registered voters;

(B) the carrier must be a signatory on at least one (1) petition;

(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and

(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least five hundred twenty-five (525) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not

1 determine that at least five hundred twenty-five (525) persons
2 who signed the petition are registered voters, the county voter
3 registration office shall, not more than fifteen (15) business days
4 after receiving a petition, forward a copy of the petition to the
5 county auditor. Not more than ten (10) business days after
6 receiving the copy of the petition, the county auditor shall provide
7 to the county voter registration office a statement verifying:

8 (A) whether a person who signed the petition as a registered
9 voter but is not a registered voter, as determined by the county
10 voter registration office, is the owner of property in the
11 political subdivision; and

12 (B) whether a person who signed the petition as an owner of
13 property within the political subdivision does in fact own
14 property within the political subdivision.

15 (9) The county voter registration office, not more than ten (10)
16 business days after determining that at least five hundred
17 twenty-five (525) persons who signed the petition are registered
18 voters or receiving the statement from the county auditor under
19 subdivision (8), as applicable, shall make the final determination
20 of the number of petitioners that are registered voters in the
21 political subdivision and, based on the statement provided by the
22 county auditor, the number of petitioners that own property within
23 the political subdivision. Whenever the name of an individual
24 who signs a petition form as a registered voter contains a minor
25 variation from the name of the registered voter as set forth in the
26 records of the county voter registration office, the signature is
27 presumed to be valid, and there is a presumption that the
28 individual is entitled to sign the petition under this section. Except
29 as otherwise provided in this chapter, in determining whether an
30 individual is a registered voter, the county voter registration office
31 shall apply the requirements and procedures used under IC 3 to
32 determine whether a person is a registered voter for purposes of
33 voting in an election governed by IC 3. However, an individual is
34 not required to comply with the provisions concerning providing
35 proof of identification to be considered a registered voter for
36 purposes of this chapter. A person is entitled to sign a petition
37 only one (1) time in a particular petition and remonstrance
38 process under this chapter, regardless of whether the person owns
39 more than one (1) parcel of real property, mobile home assessed
40 as personal property, or manufactured home assessed as personal

property, or a combination of those types of property within the subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting a petition and remonstrance process. The certificate must state the number of petitioners that are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

If a sufficient petition requesting a petition and remonstrance process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government

1 finance receives a petition under this subsection, the department shall
 2 not later than thirty (30) days after receiving the petition make a final
 3 determination on the issue of whether the political subdivision divided
 4 a controlled project in order to avoid the requirements of this section
 5 and section 3.2 of this chapter. If the department of local government
 6 finance determines that a political subdivision divided a controlled
 7 project in order to avoid the requirements of this section and section
 8 3.2 of this chapter and the political subdivision continues to desire to
 9 proceed with the project, the political subdivision shall fulfill the
 10 requirements of this section and section 3.2 of this chapter, if
 11 applicable, regardless of the cost of the project in dispute. A political
 12 subdivision shall be considered to have divided a capital project in
 13 order to avoid the requirements of this section and section 3.2 of this
 14 chapter if the result of one (1) or more of the subprojects cannot
 15 reasonably be considered an independently desirable end in itself
 16 without reference to another capital project. This subsection does not
 17 prohibit a political subdivision from undertaking a series of capital
 18 projects in which the result of each capital project can reasonably be
 19 considered an independently desirable end in itself without reference
 20 to another capital project.

21 SECTION 5. IC 6-1.1-20-3.2, AS AMENDED BY P.L.246-2017,
 22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]: Sec. 3.2. (a) Subject to section 3.5(a)(1)(C) of this
 24 chapter, this section applies only to controlled projects described in
 25 section 3.1(a) of this chapter.

26 (b) If a sufficient petition requesting the application of a petition and
 27 remonstrance process has been filed as set forth in section 3.1 of this
 28 chapter, a political subdivision may not impose property taxes to pay
 29 debt service on bonds or lease rentals on a lease for a controlled project
 30 without completing the following procedures:

31 (1) The proper officers of the political subdivision shall give
 32 notice of the applicability of the petition and remonstrance
 33 process by:

34 (A) publication in accordance with IC 5-3-1; and

35 (B) first class mail to the circuit court clerk. ~~and to the~~
 36 ~~organizations described in section 3.1(b)(1) of this chapter.~~

37 A notice under this subdivision must include a statement that any
 38 owners of property within the political subdivision or registered
 39 voters residing within the political subdivision who want to
 40 petition in favor of or remonstrate against the proposed debt

1 service or lease payments must file petitions and remonstrances
 2 in compliance with subdivisions (2) through (4) not earlier than
 3 thirty (30) days or later than sixty (60) days after publication in
 4 accordance with IC 5-3-1.

5 (2) Not earlier than thirty (30) days or later than sixty (60) days
 6 after the notice under subdivision (1) is given:

7 (A) petitions (described in subdivision (3)) in favor of the
 8 bonds or lease; and

9 (B) remonstrances (described in subdivision (3)) against the
 10 bonds or lease;

11 may be filed by an owner or owners of property within the
 12 political subdivision or a registered voter residing within the
 13 political subdivision. Each signature on a petition must be dated,
 14 and the date of signature may not be before the date on which the
 15 petition and remonstrance forms may be issued under subdivision
 16 (3). A petition described in clause (A) or a remonstrance
 17 described in clause (B) must be verified in compliance with
 18 subdivision (4) before the petition or remonstrance is filed with
 19 the county voter registration office under subdivision (4).

20 (3) The state board of accounts shall design and, upon request by
 21 the county voter registration office, deliver to the county voter
 22 registration office or the county voter registration office's
 23 designated printer the petition and remonstrance forms to be used
 24 solely in the petition and remonstrance process described in this
 25 section. The county voter registration office shall issue to an
 26 owner or owners of property within the political subdivision or a
 27 registered voter residing within the political subdivision the
 28 number of petition or remonstrance forms requested by the owner
 29 or owners or the registered voter. Each form must be
 30 accompanied by instructions detailing the requirements that:

31 (A) the carrier and signers must be owners of property or
 32 registered voters;

33 (B) the carrier must be a signatory on at least one (1) petition;

34 (C) after the signatures have been collected, the carrier must
 35 swear or affirm before a notary public that the carrier
 36 witnessed each signature;

37 (D) govern the closing date for the petition and remonstrance
 38 period; and

39 (E) apply to the carrier under section 10 of this chapter.

40 Persons requesting forms may be required to identify themselves

1 as owners of property or registered voters and may be allowed to
2 pick up additional copies to distribute to other owners of property
3 or registered voters. Each person signing a petition or
4 remonstrance must indicate whether the person is signing the
5 petition or remonstrance as a registered voter within the political
6 subdivision or is signing the petition or remonstrance as the
7 owner of property within the political subdivision. A person who
8 signs a petition or remonstrance as a registered voter must
9 indicate the address at which the person is registered to vote. A
10 person who signs a petition or remonstrance as an owner of
11 property must indicate the address of the property owned by the
12 person in the political subdivision. The county voter registration
13 office may not issue a petition or remonstrance form earlier than
14 twenty-nine (29) days after the notice is given under subdivision
15 (1). The county voter registration office shall certify the date of
16 issuance on each petition or remonstrance form that is distributed
17 under this subdivision.

18 (4) The petitions and remonstrances must be verified in the
19 manner prescribed by the state board of accounts and filed with
20 the county voter registration office within the sixty (60) day
21 period described in subdivision (2) in the manner set forth in
22 section 3.1 of this chapter relating to requests for a petition and
23 remonstrance process.

24 (5) The county voter registration office shall determine whether
25 each person who signed the petition or remonstrance is a
26 registered voter. The county voter registration office shall not
27 more than fifteen (15) business days after receiving a petition or
28 remonstrance forward a copy of the petition or remonstrance to
29 the county auditor. Not more than ten (10) business days after
30 receiving the copy of the petition or remonstrance, the county
31 auditor shall provide to the county voter registration office a
32 statement verifying:

33 (A) whether a person who signed the petition or remonstrance
34 as a registered voter but is not a registered voter, as
35 determined by the county voter registration office, is the owner
36 of property in the political subdivision; and

37 (B) whether a person who signed the petition or remonstrance
38 as an owner of property within the political subdivision does
39 in fact own property within the political subdivision.

40 (6) The county voter registration office shall not more than ten

1 (10) business days after receiving the statement from the county
2 auditor under subdivision (5) make the final determination of:

3 (A) the number of registered voters in the political subdivision
4 that signed a petition and, based on the statement provided by
5 the county auditor, the number of owners of property within
6 the political subdivision that signed a petition; and

7 (B) the number of registered voters in the political subdivision
8 that signed a remonstrance and, based on the statement
9 provided by the county auditor, the number of owners of
10 property within the political subdivision that signed a
11 remonstrance.

12 Whenever the name of an individual who signs a petition or
13 remonstrance as a registered voter contains a minor variation from
14 the name of the registered voter as set forth in the records of the
15 county voter registration office, the signature is presumed to be
16 valid, and there is a presumption that the individual is entitled to
17 sign the petition or remonstrance under this section. Except as
18 otherwise provided in this chapter, in determining whether an
19 individual is a registered voter, the county voter registration office
20 shall apply the requirements and procedures used under IC 3 to
21 determine whether a person is a registered voter for purposes of
22 voting in an election governed by IC 3. However, an individual is
23 not required to comply with the provisions concerning providing
24 proof of identification to be considered a registered voter for
25 purposes of this chapter. A person is entitled to sign a petition or
26 remonstrance only one (1) time in a particular petition and
27 remonstrance process under this chapter, regardless of whether
28 the person owns more than one (1) parcel of real property, mobile
29 home assessed as personal property, or manufactured home
30 assessed as personal property or a combination of those types of
31 property within the subdivision and regardless of whether the
32 person is both a registered voter in the political subdivision and
33 the owner of property within the political subdivision.
34 Notwithstanding any other provision of this section, if a petition
35 or remonstrance is presented to the county voter registration
36 office within forty-five (45) days before an election, the county
37 voter registration office may defer acting on the petition or
38 remonstrance, and the time requirements under this section for
39 action by the county voter registration office do not begin to run
40 until five (5) days after the date of the election.

(7) The county voter registration office must file a certificate and the petition or remonstrance with the body of the political subdivision charged with issuing bonds or entering into leases within thirty-five (35) business days of the filing of a petition or remonstrance under subdivision (4), whichever applies, containing ten thousand (10,000) signatures or less. The county voter registration office may take an additional five (5) days to review and certify the petition or remonstrance for each additional five thousand (5,000) signatures up to a maximum of sixty (60) days. The certificate must state the number of petitioners and remonstrators that are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(8) If a greater number of persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision sign a remonstrance than the number that signed a petition, the bonds petitioned for may not be issued or the lease petitioned for may not be entered into. The proper officers of the political subdivision may not make a preliminary determination to issue bonds or enter into a lease for the controlled project defeated by the petition and remonstrance process under this section or any other controlled project that is not substantially different within one (1) year after the date of the county voter registration office's certificate under subdivision (7). Withdrawal of a petition carries the same consequences as a defeat of the petition.

(9) After a political subdivision has gone through the petition and remonstrance process set forth in this section, the political subdivision is not required to follow any other remonstrance or objection procedures under any other law (including section 5 of this chapter) relating to bonds or leases designed to protect owners of property within the political subdivision from the imposition of property taxes to pay debt service or lease rentals. However, the political subdivision must still receive the approval of the department of local government finance if required by:

(A) IC 6-1.1-18.5-8; or

(B) IC 20-46-7-8, IC 20-46-7-9, and IC 20-46-7-10.

SECTION 6. IC 6-1.1-20-4.2, AS ADDED BY P.L.136-2024, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.2. (a) This section applies only if, with respect

1 to a particular controlled project that fulfilled the petition and
 2 remonstrance process under sections 3.1 and 3.2 of this chapter, the
 3 political subdivision subsequently changes the scope of the controlled
 4 project beyond that initially presented.

5 (b) Notwithstanding any other provision in this chapter, if at least
 6 ten (10) persons who are either owners of property within the political
 7 subdivision or registered voters residing within the political
 8 subdivision file a petition with the proper officers of the political
 9 subdivision contending that the scope of a controlled project has
 10 changed from how it was initially presented, the proper officers of the
 11 political subdivision shall hold a public hearing to determine whether
 12 any change in scope is significant enough to warrant a new petition and
 13 remonstrance process. A petition under this subsection must be filed
 14 not later than one (1) year after the controlled project received final
 15 approval.

16 (c) Notwithstanding any other provision in this chapter, if it is
 17 determined at the hearing described in subsection (b) that the political
 18 subdivision has subsequently changed the scope of a controlled project
 19 beyond that initially presented as described in subsection (a), the
 20 political subdivision must complete the following procedures under this
 21 section:

22 (1) The proper officers of the political subdivision shall give
 23 notice of the applicability of the petition and remonstrance
 24 process by:

25 (A) publication in accordance with IC 5-3-1; and

26 (B) first class mail to the circuit court clerk. ~~and to the~~
 27 ~~organizations described in section 3-1(b)(1) of this chapter.~~

28 A notice under this subdivision must include a statement that any
 29 owners of property within the political subdivision or registered
 30 voters residing within the political subdivision who want to
 31 petition in favor of or remonstrate against the proposed debt
 32 service or lease payments must file petitions and remonstrances
 33 in compliance with subdivisions (2) through (4) not earlier than
 34 thirty (30) days or later than sixty (60) days after publication in
 35 accordance with IC 5-3-1.

36 (2) Not earlier than thirty (30) days or later than sixty (60) days
 37 after the notice under subdivision (1) is given:

38 (A) petitions (described in subdivision (3)) in favor of the
 39 bonds or lease; and

40 (B) remonstrances (described in subdivision (3)) against the

1 bonds or lease;
2 may be filed by an owner or owners of property within the
3 political subdivision or a registered voter residing within the
4 political subdivision. Each signature on a petition must be dated,
5 and the date of signature may not be before the date on which the
6 petition and remonstrance forms may be issued under subdivision
7 (3). A petition described in clause (A) or a remonstrance
8 described in clause (B) must be verified in compliance with
9 subdivision (4) before the petition or remonstrance is filed with
10 the county voter registration office under subdivision (4).
11 (3) The state board of accounts shall design and, upon request by
12 the county voter registration office, deliver to the county voter
13 registration office or the county voter registration office's
14 designated printer the petition and remonstrance forms to be used
15 solely in the petition and remonstrance process described in this
16 section. The county voter registration office shall issue to an
17 owner or owners of property within the political subdivision or a
18 registered voter residing within the political subdivision the
19 number of petition or remonstrance forms requested by the owner
20 or owners or the registered voter. Each form must be
21 accompanied by instructions detailing the requirements that:
22 (A) the carrier and signers must be owners of property or
23 registered voters;
24 (B) the carrier must be a signatory on at least one (1) petition;
25 (C) after the signatures have been collected, the carrier must
26 swear or affirm before a notary public that the carrier
27 witnessed each signature;
28 (D) govern the closing date for the petition and remonstrance
29 period; and
30 (E) apply to the carrier under section 10 of this chapter.
31 Persons requesting forms may be required to identify themselves
32 as owners of property or registered voters and may be allowed to
33 pick up additional copies to distribute to other owners of property
34 or registered voters. Each person signing a petition or
35 remonstrance must indicate whether the person is signing the
36 petition or remonstrance as a registered voter within the political
37 subdivision or is signing the petition or remonstrance as the
38 owner of property within the political subdivision. A person who
39 signs a petition or remonstrance as a registered voter must
40 indicate the address at which the person is registered to vote. A

1 person who signs a petition or remonstrance as an owner of
 2 property must indicate the address of the property owned by the
 3 person in the political subdivision. The county voter registration
 4 office may not issue a petition or remonstrance form earlier than
 5 twenty-nine (29) days after the notice is given under subdivision
 6 (1). The county voter registration office shall certify the date of
 7 issuance on each petition or remonstrance form that is distributed
 8 under this subdivision.

9 (4) The petitions and remonstrances must be verified in the
 10 manner prescribed by the state board of accounts and filed with
 11 the county voter registration office within the sixty (60) day
 12 period described in subdivision (2) in the manner set forth in
 13 section 3.1 of this chapter relating to requests for a petition and
 14 remonstrance process.

15 (5) The county voter registration office shall determine whether
 16 each person who signed the petition or remonstrance is a
 17 registered voter. The county voter registration office shall not
 18 more than fifteen (15) business days after receiving a petition or
 19 remonstrance forward a copy of the petition or remonstrance to
 20 the county auditor. Not more than ten (10) business days after
 21 receiving the copy of the petition or remonstrance, the county
 22 auditor shall provide to the county voter registration office a
 23 statement verifying:

24 (A) whether a person who signed the petition or remonstrance
 25 as a registered voter but is not a registered voter, as
 26 determined by the county voter registration office, is the owner
 27 of property in the political subdivision; and

28 (B) whether a person who signed the petition or remonstrance
 29 as an owner of property within the political subdivision does
 30 in fact own property within the political subdivision.

31 (6) The county voter registration office shall not more than ten
 32 (10) business days after receiving the statement from the county
 33 auditor under subdivision (5) make the final determination of:

34 (A) the number of registered voters in the political subdivision
 35 that signed a petition and, based on the statement provided by
 36 the county auditor, the number of owners of property within
 37 the political subdivision that signed a petition; and

38 (B) the number of registered voters in the political subdivision
 39 that signed a remonstrance and, based on the statement
 40 provided by the county auditor, the number of owners of

1 property within the political subdivision that signed a
2 remonstrance.

3 Whenever the name of an individual who signs a petition or
4 remonstrance as a registered voter contains a minor variation from
5 the name of the registered voter as set forth in the records of the
6 county voter registration office, the signature is presumed to be
7 valid, and there is a presumption that the individual is entitled to
8 sign the petition or remonstrance under this section. Except as
9 otherwise provided in this chapter, in determining whether an
10 individual is a registered voter, the county voter registration office
11 shall apply the requirements and procedures used under IC 3 to
12 determine whether a person is a registered voter for purposes of
13 voting in an election governed by IC 3. However, an individual is
14 not required to comply with the provisions concerning providing
15 proof of identification to be considered a registered voter for
16 purposes of this chapter. A person is entitled to sign a petition or
17 remonstrance only one (1) time in a particular petition and
18 remonstrance process under this chapter, regardless of whether
19 the person owns more than one (1) parcel of real property, mobile
20 home assessed as personal property, or manufactured home
21 assessed as personal property or a combination of those types of
22 property within the subdivision and regardless of whether the
23 person is both a registered voter in the political subdivision and
24 the owner of property within the political subdivision.
25 Notwithstanding any other provision of this section, if a petition
26 or remonstrance is presented to the county voter registration
27 office within forty-five (45) days before an election, the county
28 voter registration office may defer acting on the petition or
29 remonstrance, and the time requirements under this section for
30 action by the county voter registration office do not begin to run
31 until five (5) days after the date of the election.

32 (7) The county voter registration office must file a certificate and
33 the petition or remonstrance with the body of the political
34 subdivision within thirty-five (35) business days of the filing of a
35 petition or remonstrance under subdivision (4), whichever
36 applies, containing ten thousand (10,000) signatures or less. The
37 county voter registration office may take an additional five (5)
38 days to review and certify the petition or remonstrance for each
39 additional five thousand (5,000) signatures up to a maximum of
40 sixty (60) days. The certificate must state the number of

petitioners and remonstrators that are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(8) If a greater number of persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision sign a remonstrance than the number that signed a petition, the political subdivision may not proceed with the changed scope of the controlled project. In that case, the political subdivision may either:

(A) proceed with the controlled project as it was initially presented; or

(B) terminate the controlled project as it was initially presented and initiate procedures for the controlled project that reflects the change in scope.

Withdrawal of a petition carries the same consequences as a defeat of the petition.

(9) After a political subdivision has gone through the petition and remonstrance process set forth in this section, the political subdivision is not required to follow any other remonstrance or objection procedures under any other law (including section 5 of this chapter) relating to bonds or leases designed to protect owners of property within the political subdivision from the imposition of property taxes to pay debt service or lease rentals. However, the political subdivision must still receive the approval of the department of local government finance if required by:

(A) IC 6-1.1-18.5-8; or

(B) IC 20-46-7-8, IC 20-46-7-9, and IC 20-46-7-10."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as reprinted January 28, 2026.)