

# PROPOSED AMENDMENT

## SB 270 # 2

### DIGEST

COMMITTEE AMENDMENT. Adds the following provisions: (1) Allows the department of local government finance (department) to prescribe forms for the merger process. (2) Requires a county to have at least one township after all mergers are complete. (3) Provides that if a county has only designated townships, the county shall select one of the designated townships to act as the recipient township. (4) Requires a new township government to certify the final action on the merger to the office of the secretary of state and certain county offices.

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1       Page 2, between lines 25 and 26, begin a new paragraph and insert:  
2       "SECTION 3. IC 36-6-1.5-12, AS AMENDED BY P.L.255-2013,  
3       SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4       UPON PASSAGE]: Sec. 12. (a) Subject to subsection (b), the officers  
5       of the new township government shall:  
6           (1) obtain from the department of local government finance  
7       approval under IC 6-1.1-18.5-7 of:  
8           (A) a budget;  
9           (B) an ad valorem property tax levy; and  
10           (C) a property tax rate;  
11           (2) fix the annual budget under IC 6-1.1-17;  
12           (3) impose a property tax levy; and  
13           (4) take any action necessary to ensure the collection of fees and  
14       other revenue;  
15       for the new township government for the budget year following the  
16       year the officers take office.  
17           (b) The resolutions approving the township government merger  
18       under this chapter must specify the amount (if any) of the decrease that  
19       the department of local government finance shall make to the  
20       maximum permissible property tax levies, maximum permissible  
21       property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of  
22       the new township to:  
23           (1) eliminate double taxation for services or goods provided by  
24       the new township; or

(2) eliminate any excess by which the amount of property taxes imposed by the new township exceeds the amount necessary to pay for services or goods provided under this article.

(c) The fiscal body of the new township shall determine and certify to the department of local government finance the amount of the adjustment (if any) under subsection (b). The amount of the adjustment (if any) to be made under subsection (b) must comply with the resolutions approving the township government merger.

(d) The department may prescribe forms for submission to the department to expedite processing of mergers under IC 36-6-1.7.".

Page 5, line 18, after "county." insert "**After all township mergers are complete, a county must have at least one (1) township.**".

Page 5, line 20, delete "At" and insert "**Except as provided in subdivision (2), at**".

Page 5, between lines 22 and 23, begin a new line block indented and insert:

**"(2) If all townships in a county are designated townships, the county executive shall select one of the (1) designated townships participating in the merger to form a new township government to perform the functions of a recipient township."**

Page 5, line 23, delete "(2)" and insert "(3)".

Page 5, between lines 35 and 36, begin a new paragraph and insert:

**"(c) The new township government shall certify the final action in the manner prescribed by the department to each of the following:**

**(1) The county legislative body.**

**(2) The county executive body.**

**(3) The clerk of the circuit court.**

**(4) The county fiscal officer.**

**(5) The county recorder.**

**(6) The county voter registration office.**

**(7) The secretary of state's office.".**

Page 6, line 14, after "merger" insert "**(selected by majority vote of the members of the designated township's legislative body)**".

Renumber all **SECTIONS** consecutively.

(Reference is to SB 270 as introduced.)