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ENGROSSED SENATE BILL No. 270

Proposed Changes to February 17, 2026 printing by AM027012

DIGEST OF PROPOSED AMENDMENT

Township firefighting and emergency services levy. Specifies eligibility for certain townships to petition for an increase to the maximum property tax levy for the firefighting and emergency services fund.

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

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

- 1 [SECTION 1. IC 6-1.1-18-28, AS AMENDED BY P.L.236-2023,
- 2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 UPON PASSAGE]: Sec. 28. (a) **This section applies to a township if:**
- 4 **(1) the township has previously submitted a petition, or**
- 5 **petitions, under this section in any year after December 31,**
- 6 **2016;**
- 7 **(2) the sum of all adjustments determined under STEP**
- 8 **THREE of subsection (c) for the petition or petitions**
- 9 **described in subdivision (1) equals fifteen-hundredths (0.15);**
- 10 **and**
- 11 **(3) the percentage growth in the township's assessed value**
- 12 **for the preceding year compared to the year immediately**
- 13 **before the preceding year is:**
- 14 **(A) at least equal to the maximum levy growth quotient**
- 15 **determined under IC 6-1.1-18.5-2 for the preceding year**
- 16 **multiplied by two (2); and**
- 17 **(B) not more than the maximum levy growth quotient**
- 18 **determined under IC 6-1.1-18.5-2 for the preceding year**
- 19 **multiplied by four (4).**

ES 270—LS 7084/DI 87



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1 **(b)** The executive of a township may, upon approval by the
 2 township fiscal body, submit a petition to the department of local
 3 government finance for an increase in the township's maximum
 4 permissible ad valorem property tax levy for its township firefighting
 5 and emergency services fund under IC 36-8-13-4(a)(1) or the levies for
 6 the township firefighting fund and township emergency services fund
 7 described in IC 36-8-13-4(a)(2), as applicable, for property taxes for
 8 any year for which a petition is submitted under this section.

9 **(b) (c) Subject to subsection (e),** if the township submits a
 10 petition as provided in subsection (a) (b) before April June 1 of a year,
 11 the department of local government finance shall increase the
 12 township's maximum permissible ad valorem property tax levy for the
 13 township firefighting and emergency services fund under
 14 IC 36-8-13-4(a)(1) or the combined levies for the township firefighting
 15 fund and township emergency services fund described in
 16 IC 36-8-13-4(a)(2), as applicable, for property taxes first due and
 17 payable in the immediately succeeding year by using the following
 18 formula for purposes of subsection (c)(2): (d)(2):

19 STEP ONE: Determine the percentage increase in the
 20 population, as determined by the township fiscal body and as
 21 may be prescribed by the department of local government
 22 finance, that is within the fire protection and emergency services
 23 area of the township during the ten (10) year period immediately
 24 preceding the year in which the petition is submitted under
 25 subsection (a): (b). The township fiscal body may use the most
 26 recently available population data issued by the Bureau of the
 27 Census during the ten (10) year period immediately preceding
 28 the petition.

29 STEP TWO: Determine the greater of zero (0) or the result of:
 30 (A) the STEP ONE percentage; minus
 31 (B) six percent (6%);
 32 expressed as a decimal.

33 STEP THREE: Determine a rate that is the lesser of:
 34 (A) fifteen-hundredths (0.15); or
 35 (B) the STEP TWO result.

36 STEP FOUR: Reduce the STEP THREE rate by any rate
 37 increase in the township's property tax rate or rates for its
 38 township firefighting and emergency services fund, township
 39 firefighting fund, or township emergency services fund, as
 40 applicable, within the immediately preceding ten (10) year
 41 period that was made based on a petition submitted by the
 42 township under this section.

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(c) (d) The township's maximum permissible ad valorem property tax levy for its township firefighting and emergency services fund under IC 36-8-13-4(a)(1) or the combined levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2) for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the township firefighting and emergency services fund under IC 36-8-13-4(a)(1) or the combined levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2), as applicable, without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); (c); multiplied by

(B) the net assessed value of the fire protection and emergency services area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the township's maximum permissible ad valorem property tax levy under IC 36-8-13-4 for property taxes first due and payable in the first year of the increase and thereafter.

(e) Notwithstanding the rate limitation in STEP THREE of subsection (c), a township may submit a petition under subsection (b) to increase the township's maximum permissible ad valorem property tax levy for its township firefighting and emergency services fund under IC 36-8-13-4(a)(1) or the levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2), as applicable, for property taxes first due and payable in the immediately succeeding year as determined under the formula under subsection (c), subject to the following:

(1) The amount determined under subsection (c) may not exceed the result of:

(A) the STEP TWO result in subsection (c); multiplied by

(B) eight-tenths (0.8).

(2) The rate, as adjusted under this section and as certified by the department of local government finance for the township's maximum permissible ad valorem property tax levy for:

(A) its township firefighting and emergency services fund under IC 36-8-13-4(a)(1); or

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(B) the levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2);
as applicable, may not exceed a rate determined by the formula under subsection (f).
(3) STEP FOUR of subsection (c) applies to any petition the executive of the township subsequently submits after submitting an initial petition after December 31, 2025, under this section.
(f) The rate limitation described in subsection (e)(2) shall be determined using the following formula:
STEP ONE: Determine the sum of:
(A) the rate certified by the department of local government finance for the current year for the township's:
(i) township firefighting and emergency services fund under IC 36-8-13-4(a)(1); or
(ii) the levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2);
as applicable; plus
(B) the amount determined under STEP THREE of subsection (c).
STEP TWO: Determine the lesser of:
(A) thirty-hundredths (0.30); or
(B) the STEP ONE result.

1 SECTION ~~1~~[2]. IC 36-1.5-4-13, AS AMENDED BY P.L.202-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The legislative body of a political subdivision that receives a certified resolution under section 10 or 12 of this chapter ~~may~~ **shall** do any of the following:

(1) Adopt a resolution declining to participate in a proposed reorganization. **The resolution must detail why the political subdivision does not wish to participate in the reorganization.**

(2) Adopt a substantially identical resolution proposing to participate in a proposed reorganization with the political subdivisions named in a resolution certified to the political subdivision.

(3) Adopt a resolution proposing to participate in a proposed reorganization with political subdivisions that differ in part or in whole from the political subdivisions named in a resolution

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certified to the political subdivision.
(b) The clerk of the political subdivision adopting a resolution proposing a reorganization under this section shall certify the resolution to the clerk of each political subdivision named in the resolution.

SECTION ~~3~~[3]. IC 36-1.5-4.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 4.1. Reorganization of Certain Designated Townships

Sec. 1. (a) This chapter does not apply to a township:
(1) located in a county having a consolidated city; or
(2) that, not later than June 30, 2027, has begun to consolidate with another:
(A) township under IC 36-6-1.5; or
(B) unit under IC 36-1.5-4.

(b) This chapter applies only to a designated township that satisfies all of the following criteria:
(1) At least eighty percent (80%) of the township's boundaries coincide with a municipality's boundaries.
(2) At least fifty-one percent (51%) of the township's population resides within the corporate boundaries of a municipality described in subdivision (1).

Sec. 2. To the extent that other provisions in this article conflict with this chapter, this chapter controls.

Sec. 3. As used in this chapter, "department" means the department of local government finance.

Sec. 4. As used in this chapter, "designated township" has the meaning set forth in IC 36-6-1.7-3.

Sec. 5. As used in this chapter, "plan" or "plan of reorganization" means a plan of reorganization approved by the legislative body of a recipient municipality under this chapter.

Sec. 6. As used in this chapter, "recipient municipality" means a municipality that is named by a designated township in a resolution under section 14 of this chapter.

Sec. 7. As used in this chapter, "reorganization" means the dissolution of a designated township and the transfer of township property, functions, powers, and services to a municipality that is the recipient municipality.

Sec. 8. As used in this chapter, "township office" refers to any of the following:

(1) The office of township trustee elected as provided in IC 36-6-4-2.

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1 (2) The office of township assessor elected as provided in
2 IC 36-6-5-1 (if the office exists).

3 (3) The office of a member of the township board elected as
4 provided in IC 36-6-6-2.

5 Sec. 9. As used in this chapter, "township services" means the
6 following:

7 (1) Township assistance under IC 12-20 and IC 12-30-4.

8 (2) Provision of insulin to the poor under IC 12-20-16.

9 (3) Fire protection services under IC 36-8.

10 (4) Fence viewing under IC 32-26.

11 (5) Provision and maintenance of cemeteries under IC 23-14.

12 (6) Provision and maintenance of township parks and
13 community centers under IC 36-10.

14 (7) Destruction of detrimental plants, noxious weeds, and
15 rank vegetation under IC 15-16-8.

16 (8) Any other services required by statute to be provided by
17 a township.

18 Sec. 10. As used in this chapter, "township services district"
19 means a service district that is located within the boundaries of the
20 reorganized designated township in which the recipient
21 municipality imposes a township services district levy.

22 Sec. 11. As used in this chapter, "township services district
23 levy" means the budget, tax rate, and tax levy imposed by the
24 recipient municipality within the boundaries of a township services
25 district.

26 Sec. 12. (a) On January 1, 2029, each designated township that
27 meets the criteria described in section 1(b) of this chapter is
28 dissolved. All of the following occur:

29 (1) The term of office of an individual who holds a township
30 office ends on December 31, 2028. An election for a township
31 office shall not be held in 2029 or thereafter.

32 (2) The:

33 (A) powers and duties of the office of township trustee
34 are transferred to the executive of the recipient
35 municipality;

36 (B) legislative powers and duties of the office of
37 township board members are transferred to the
38 legislative body of the recipient municipality;

39 (C) fiscal powers and duties of the office of township
40 board members are transferred to the fiscal body of the
41 recipient municipality; and

42 (D) powers and duties of the township assessor (if the

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office exists) are transferred to the county assessor.

(3) The boundaries of the dissolved township remain as the boundaries of the service area within which the recipient municipality provides township services.

(4) If a designated township participates in a fire protection territory or fire protection district, the fire protection territory or fire protection district is unaffected by the reorganization and the area within the boundaries of the dissolved township remain a part of the fire protection territory or fire protection district after reorganization. The recipient municipality succeeds the designated township in the designated township's role as:

(A) a participating unit that is not a provider unit in the fire protection territory; or

(B) a participant in the fire protection district;

for the area within the boundaries of the dissolved designated township.

(5) The balance in the general fund of the designated township shall be transferred to the general fund of the recipient municipality.

(6) The balance in the township assistance fund of a designated township shall be transferred to a township assistance fund established by the recipient municipality.

(7) The balance of any other fund of the designated township shall be transferred to the fund of the recipient municipality that most closely corresponds to the fund of the designated township.

(8) Subject to section 30 of this chapter, the property and liabilities of the designated township become the property and liabilities of the recipient municipality.

(b) IC 36-1-8-5 does not apply to a balance referred to in subsection (a).

Sec. 13. A designated township that is adjacent to a municipality may designate the municipality in a resolution under section 14 of this chapter. A township is not adjacent to a municipality if the township and municipality are connected by a strip of land that is less than one hundred fifty (150) feet wide.

Sec. 14. (a) The legislative body of a designated township shall adopt a resolution not later than October 1, 2027, that:

(1) proposes a reorganization; and

(2) designates one (1) municipality that satisfies the criteria under section 13 of this chapter for reorganizing with the

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designated township.
(b) The township trustee of the designated township shall certify the resolution to:

- (1) the county clerk; and
- (2) if the recipient municipality is a municipality, the clerk of the municipality.

If the recipient municipality meets the criteria under section 13 of this chapter, the recipient municipality and the designated township shall appoint a joint board under section 16 of this chapter.

Sec. 15. If a recipient municipality is named by two (2) or more designated townships in resolutions under section 14 of this chapter, the recipient municipality may:

- (1) appoint a single joint board under section 16 of this chapter; and
- (2) prepare and adopt a single plan of reorganization; to govern the reorganization of the townships, instead of appointing separate boards and adopting separate plans for each of the townships.

Sec. 16. (a) A joint board shall consist of the following:

- (1) Two (2) members of the township board of each township participating in the reorganization, selected by the members of the township board.
- (2) Four (4) members of the legislative body of the designated municipality, selected by the members of the body.
- (3) The township trustee of each township participating in the reorganization.
- (4) The deputy township trustee or a full-time township employee of each township participating in the reorganization.

The fiscal officer of the designated municipality, and other members of the bodies under subdivisions (1) and (2), shall serve as advisory, nonvoting members.

(b) A majority of the voting members constitutes a quorum. Official action may only be taken by affirmative vote of at least a majority of members present at the meeting.

(c) The members of a joint board serve without compensation. The members are entitled to reimbursement from the reorganizing township and recipient municipality for the necessary expenses incurred in the performance of their duties.

(d) A joint board is subject to IC 5-14-1.5 and IC 5-14-3.

(e) The joint board shall prepare a reorganization plan not

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1 later than March 1, 2028, for transferring the powers, duties, and
2 property of the designated township consistent with this chapter.
3 The joint board shall send the plan to the legislative body of the
4 recipient municipality for adoption.

5 (f) The legislative body of the recipient municipality may adopt
6 the plan as drafted or modify the plan before adoption.

7 Sec. 17. Elimination of a township office of a designated
8 township does not invalidate:

9 (1) any resolutions, fees, schedules, or other actions adopted
10 or taken by the township trustee or township assessor (if the
11 office exists) before January 1, 2029; or

12 (2) any appointments made by the township trustee or
13 township assessor (if the office exists) before January 1,
14 2029.

15 Sec. 18. (a) In 2028 and each year thereafter, the fiscal body of
16 the recipient municipality shall, in the manner provided by
17 IC 6-1.1-17, adopt a township services district levy for the ensuing
18 year.

19 (b) If a recipient municipality fails to adopt a township
20 services district levy, the township service district's most recently
21 approved township services levy is continued for the ensuing
22 budget year.

23 Sec. 19. (a) This section applies if a part of the reorganized
24 township is located outside the boundaries of the municipality.

25 (b) The municipality shall establish:

26 (1) an urban township services district consisting of the area
27 of the designated township that is located within the
28 boundaries of the municipality; and

29 (2) a rural township services district consisting of the area of
30 the designated township located outside the boundaries of the
31 municipality.

32 (c) Subject to subsection (d), a tax levied under this section
33 may be levied at:

34 (1) a uniform rate upon all taxable property within the
35 designated township; or

36 (2) different rates for the township service districts included
37 within the designated township, so long as a tax rate applies
38 uniformly to all of a township service district's taxable
39 property within the designated township.

40 (d) If a uniform tax rate is levied upon all taxable property
41 within a designated township upon reorganization, different tax
42 rates may be levied for the township service districts included

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1 within the designated township in subsequent years.

2 (e) Not later than October 1 of a year, the municipality shall
3 submit the township services district levy for the rural township
4 service district to the county fiscal body for its approval. Not later
5 than October 15 of the year, the county fiscal body shall review the
6 proposed township service district levy for the rural township
7 service district. The county fiscal body may reduce or modify but
8 not increase the proposed township service district levy.

9 (f) If:

10 (1) the municipality fails to adopt a township service district
11 levy; or

12 (2) a county fiscal body does not adopt the township service
13 district levy for a rural township district within the time
14 specified under subsection (c);

15 the township service district's most recent township service district
16 levy approved by the municipality or county, whichever is
17 appropriate, is continued for the ensuing budget year.

18 (g) A tax levied by the recipient municipality under this
19 chapter after December 31, 2028, shall:

20 (1) be in an amount sufficient for the recipient municipality
21 to provide township services within a township service
22 district; and

23 (2) include amounts necessary to continue payment of any
24 debt service or obligation incurred by the township before
25 January 1, 2029, in accordance with the terms of the debt
26 service or obligation incurred.

27 **Sec. 20.** For purposes of the property tax levy limits under
28 IC 6-1.1-18.5, a tax levied by a recipient municipality under this
29 chapter is included in the calculation of the maximum permissible
30 property tax levy for the recipient municipality. For property taxes
31 first due and payable in 2029, the recipient municipality's
32 maximum permissible ad valorem property tax levy under
33 IC 6-1.1-18.5 shall be increased by:

34 (1) the township's maximum permissible ad valorem
35 property tax levy under IC 6-1.1-18.5 for property taxes first
36 due and payable in 2028; multiplied by

37 (2) the maximum levy growth quotient under IC 6-1.1-18.5-2
38 for property taxes first due and payable in 2028.

39 The recipient municipality's maximum permissible ad valorem
40 property tax levy under IC 6-1.1-18.5 for property taxes first due
41 and payable in 2028 as adjusted under this section shall be used in
42 the determination of the recipient municipality's maximum

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1 permissible ad valorem property tax levy under IC 6-1.1-18.5 for
2 property taxes first due and payable in 2029 and thereafter.

3 Sec. 21. (a) The plan of reorganization governs the actions,
4 duties, and powers of the recipient municipality and the designated
5 township that are not specified by law.

6 (b) The plan of reorganization must be consistent with this
7 chapter and include at least the following:

8 (1) A description of the township services provided by the
9 recipient municipality and the service areas in which the
10 services will be offered.

11 (2) The disposition of the personnel, the agreements, the
12 assets, and, subject to section 29 of this chapter, the liabilities
13 of the designated township, including the terms and
14 conditions upon which the transfer of property and
15 personnel will be achieved.

16 (3) Any other matter that the joint board determines to be
17 necessary or appropriate or to include in the plan of
18 reorganization.

19 (c) When the plan of reorganization is submitted to the
20 recipient municipality by the joint board, the recipient
21 municipality shall post a copy of the plan of reorganization on the
22 website of the recipient municipality not more than seven (7) days
23 after receiving the plan of reorganization from the joint board. If
24 the plan of reorganization is amended, the recipient municipality
25 shall post the amended plan on the website of the recipient
26 municipality not later than seven (7) days after the amended plan
27 is adopted.

28 Sec. 22. The legislative body of the recipient municipality shall
29 certify the legislative body's final action on a plan of
30 reorganization or revised plan of reorganization, as modified by
31 the legislative body, in the manner prescribed by the department
32 of local government finance, to each of the following:

33 (1) The clerk of the circuit court and, if the recipient
34 municipality is a municipality, the clerk of the municipality.

35 (2) The county fiscal officer of each county in which the
36 designated township is located.

37 (3) The county recorder of each county in which the
38 designated township is located.

39 (4) The county voter registration office of each county in
40 which the designated township is located.

41 Sec. 23. The legislative body of the recipient municipality shall
42 file a certified copy of the plan with each of the following at the

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same time certifications are made under section 22 of this chapter:

- (1) The county recorder of each county in which a reorganizing political subdivision is located.
- (2) The department of local government finance.
- (3) The clerk of the circuit court.

Sec. 24. Each county recorder receiving a certification under sections 22 and 23 of this chapter shall record the certification and the plan of reorganization in the records of the county recorder without charge. The county recorder shall notify the county election board of each county in which the designated township is located.

Sec. 25. The designated township is reorganized under the conditions set forth in the plan of reorganization filed with the county recorder under this chapter.

Sec. 26. The department of local government finance is expressly directed to complete the duties assigned to it under IC 6-1.1-17-16 with respect to the submitted property tax levies, property tax rates, and budget as follows:

- (1) For each budget year, not later than December 31 of the year preceding that budget year, unless a taxing unit in a county is issuing debt after December 1 in the year preceding the budget year or intends to file a shortfall appeal under IC 6-1.1-18.5-16.
- (2) For each budget year, not later than January 15 of the budget year if a taxing unit in a county is issuing debt after December 1 in the year preceding the budget year or intends to file a shortfall appeal under IC 6-1.1-18.5-16.

Sec. 27. (a) This section applies to a reorganization under this chapter that involves:

- (1) the recipient municipality; and
- (2) at least one (1) designated township;

all of which are participating units in the same fire protection territory on the date the reorganization plan is finally adopted under this chapter.

(b) The fiscal body of the recipient municipality may:

- (1) establish an equipment replacement fund under IC 36-8-19-8.5 and impose a property tax for the fund as provided in IC 36-8-19-8.5; and
- (2) take any other action under IC 36-8-19-8.5 that may be taken under that section by a participating unit in a fire protection territory.

(c) If a recipient municipality establishes an equipment

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1 replacement fund under IC 36-8-19-8.5 as authorized by this
2 section, the department of local government finance may adjust the
3 maximum permissible ad valorem property tax levy that would
4 otherwise apply to the recipient municipality in the same manner
5 in which the department may adjust the maximum permissible ad
6 valorem property tax levy of a civil taxing unit under
7 IC 6-1.1-18.5-10.5 to meet the civil taxing unit's obligations to a fire
8 protection territory established under IC 36-8-19.

9 Sec. 28. (a) A recipient municipality has the powers granted by
10 statute to a designated township, including a power described in
11 subsection (b).

12 (b) Except as provided in the plan of reorganization, a
13 recipient municipality may do any of the following:

14 (1) Establish any fund that the designated township (either
15 acting on its own or jointly with another political
16 subdivision) was authorized to establish before January 1,
17 2029.

18 (2) Impose any tax levy or adopt any tax that the designated
19 township was authorized to impose or adopt before January
20 1, 2029.

21 Sec. 29. A plan of reorganization may establish within the
22 designated township, territories, or districts:

23 (1) in which specified services provided by the recipient
24 municipality will be provided at different levels, quantities,
25 or amounts; and

26 (2) in which the fees, charges, or taxes imposed by the
27 recipient municipality will vary depending on the level,
28 quantity, or amount of the services provided.

29 Sec. 30. The following apply:

30 (1) Indebtedness that was incurred by the recipient
31 municipality or designated township before January 1, 2029:

32 (A) may not be imposed on taxpayers that were not
33 responsible for payment of the indebtedness before
34 January 1, 2029; and

35 (B) must be paid by the taxpayers that were responsible
36 for payment of the indebtedness before January 1, 2029.

37 (2) Pension obligations existing as of January 1, 2029:

38 (A) may not be imposed on taxpayers that were not
39 responsible for payment of the pension obligations
40 before January 1, 2029; and

41 (B) must be paid by the taxpayers that were responsible
42 for payment of the pension obligations before January

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1, 2029.
Sec. 31. The following apply to a reorganization under this chapter:

- (1) Except as provided in subdivision (2):
 - (A) the recipient municipality is responsible after December 31, 2028, for providing township services in all areas of the designated township; and
 - (B) the recipient municipality retains the powers of the designated township after December 31, 2028, in order to provide township services as required by clause (A).
- (2) Powers and duties of the recipient municipality may be transferred as authorized in an interlocal cooperation agreement approved under IC 36-1-7 or as authorized in a cooperative agreement approved under IC 36-1.5-5.
- (3) Section 28 of this chapter applies to the debt service levy of the recipient municipality and to the department of local government finance's determination of the new maximum permissible ad valorem property tax levy for the recipient municipality.
- (4) The recipient municipality may not borrow money under IC 36-6-6-14(b) or IC 36-6-6-14(c).
- (5) The new maximum permissible ad valorem property tax levy for the recipient municipality's firefighting and emergency services fund under IC 36-8-13-4(a)(1) or the combined levies for the firefighting fund and emergency services fund described in IC 36-8-13-4(a)(2) is equal to:
 - (A) the result of:
 - (i) the maximum permissible ad valorem property tax levy for the designated township's firefighting and emergency services fund under IC 36-8-13-4(a)(1) or the combined ad valorem property tax levies for the township firefighting fund and township emergency services fund described in IC 36-8-13-4(a)(2), as applicable, in 2028; multiplied by
 - (ii) the maximum levy growth quotient applicable for property taxes first due and payable in 2028; plus
 - (B) any amounts borrowed by the designated township under IC 36-6-6-14(b) or IC 36-6-6-14(c) in 2028.

Sec. 32. (a) Except as provided in subsections (c) through (d), a political subdivision may not take an action described in

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subsection (b) within a designated township after June 30, 2027.

(b) A political subdivision may not take any of the following actions partially or wholly within a designated township after June 30, 2027, unless the recipient municipality agrees by adopting a resolution:

- (1) Initiate an annexation of territory.
- (2) Establish a fire protection territory or fire protection district.
- (3) Extend water, sewer, or any other infrastructure to the political subdivision.
- (4) Expand zoning jurisdiction under IC 36-7-4-205.

(c) This chapter does not prohibit a recipient municipality from taking an action under subsection (b) for the purpose of implementing the plan of reorganization.

(d) A political subdivision may take an action described in subsection (b) after December 31, 2028.

Sec. 33. (a) Except as otherwise provided in this section, until the final plan of reorganization is approved by the legislative body of the recipient municipality, the recipient municipality or designated township may not promote a position on the reorganization by doing any of the following:

- (1) Using facilities or equipment, including mail and messaging systems, owned by the recipient municipality or designated township to promote a position on the reorganization, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the recipient municipality or designated township.
- (2) Making an expenditure of money from a fund controlled by the recipient municipality or designated township to promote a position on the reorganization.
- (3) Using an employee to promote a position on the reorganization during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the public question at any time. However, if a person described in subsection (c) is advocating for or against a position on the reorganization or discussing the reorganization as authorized under subsection (c), an employee of the recipient municipality or designated township may assist the person in presenting information on the reorganization if requested to do so by the person described in subsection (c).

However, this section does not prohibit an official or employee of

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1 the recipient municipality or designated township from carrying
2 out duties with respect to a reorganization that are part of the
3 normal and regular conduct of the official's or employee's office or
4 agency, including the furnishing of factual information regarding
5 the reorganization in response to inquiries from any person.

6 (b) This subsection does not apply to:

7 (1) a personal expenditure to promote a position on a
8 reorganization by an employee of the recipient municipality
9 or designated township whose employment is governed by a
10 collective bargaining contract or an employment contract; or

11 (2) an expenditure to promote a position on a reorganization
12 by a person or an organization that has a contract or an
13 arrangement (whether formal or informal) with the recipient
14 municipality or designated township solely for the use of the
15 political subdivision's facilities.

16 A person or an organization that has a contract or arrangement
17 (whether formal or informal) with the recipient municipality or
18 designated township to provide goods or services to the recipient
19 municipality or township may not spend any money to promote a
20 position on the reorganization. A person or an organization that
21 violates this subsection commits a Class A infraction.

22 (c) Notwithstanding any other law, an elected or appointed
23 official of a recipient municipality or designated township may:

24 (1) personally advocate for or against a position on a
25 reorganization; or

26 (2) discuss the reorganization with any individual, group, or
27 organization or personally advocate for or against a position
28 on a reorganization before any individual, group, or
29 organization;

30 so long as it is not done by using public funds. Advocacy or
31 discussion allowed under this subsection is not considered a use of
32 public funds.

33 Sec. 34. Nothing in this chapter shall be construed:

34 (1) to constitute an annexation of a designated township by
35 a municipality under the provisions of this chapter; or

36 (2) as changing the corporate boundaries of a municipality
37 that is the recipient municipality of the dissolved designated
38 township.

39 SECTION ~~12~~ [4]. IC 36-6-1.5-5, AS AMENDED BY
40 P.L.255-2013, SECTION 12, IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The township
42 trustees, with the approval of a majority of the members of the

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1 township legislative body of each township that wants to merge
2 township governments under this chapter, must comply with this
3 section.

4 (b) The township trustees must present identical resolutions
5 approving the township government merger to the trustees' respective
6 township legislative bodies. A township legislative body may adopt a
7 resolution under this chapter only after the legislative body has held a
8 public hearing concerning the proposed merger. The township
9 legislative body shall hold the hearing not earlier than thirty (30) days
10 after the date the resolution is introduced. The hearing shall be
11 conducted in accordance with IC 5-14-1.5 and notice of the hearing
12 shall be published in accordance with IC 5-3-1.

13 (c) The township legislative bodies may, **and a township**
14 **legislative body merging under IC 36-6-1.7 shall**, adopt the identical
15 resolutions approving the township government merger under this
16 chapter not later than ninety (90) days after the legislative body has
17 held the public hearing under subsection (b).

18 (d) The trustees of the participating townships shall jointly file a
19 copy of the identical resolutions with:

- 20 (1) the department of local government finance;
- 21 (2) the circuit court clerk; and
- 22 (3) the office of the secretary of state.

23 (e) **This subsection does not apply to a merger under**
24 **IC 36-6-1.7.** A township legislative body may not adopt a resolution
25 ordering a merger after January 1 of a year in which:

- 26 (1) a general election is held; and
- 27 (2) a township trustee is elected.

28 (f) A merger under this chapter may reduce the term of a township
29 trustee of a former township government.

30 SECTION ~~5~~[5]. IC 36-6-1.5-6, AS AMENDED BY
31 P.L.255-2013, SECTION 13, IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) This**
33 **subsection does not apply to a merger under IC 36-6-1.7.** The
34 merger becomes effective on January 1 of the year following the
35 adoption of the resolution approving the merger of the townships.

36 (b) An officer elected to represent the merged township
37 government shall be considered to be a resident of the territory
38 comprising the new township government. ~~unless the township merger~~
39 ~~is dissolved under IC 36-6-1.6.~~

40 SECTION ~~6~~[6]. IC 36-6-1.5-8, AS ADDED BY P.L.240-2005,
41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 UPON PASSAGE]: Sec. 8. **(a)** On the date a merger takes effect:

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ES 270—LS 7084/DI 87



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- 1 (1) the former township governments are abolished as separate
- 2 entities;
- 3 (2) each township subject to the merger retains its geographical
- 4 boundaries and its name;
- 5 (3) the territory of the new township government includes all the
- 6 territory that comprised the territories of the former township
- 7 governments before the merger;
- 8 (4) the agencies of the former township governments are
- 9 abolished;
- 10 (5) the functions of the abolished agencies are assigned to
- 11 agencies of the new township government;
- 12 (6) the:
- 13 (A) property;
- 14 (B) records;
- 15 (C) personnel;
- 16 (D) rights; and
- 17 (E) liabilities;
- 18 related to the functions of the abolished agencies are assigned to
- 19 agencies of the new township government; and
- 20 (7) **Subject to subsection (b)**, any bonds and other indebtedness
- 21 of, or assumed by, the former township governments are
- 22 transferred to the new township government.
- 23 **(b) This subsection applies to a merger under IC 36-6-1.6.**
- 24 **Indebtedness that was incurred by each former township**
- 25 **government prior to the merger under IC 36-6-1.6:**
- 26 **(1) may not be imposed on taxpayers that were not**
- 27 **responsible for payment of the indebtedness before the**
- 28 **merger; and**
- 29 **(2) must be paid by the taxpayers that were responsible for**
- 30 **payment of the indebtedness before the merger.**
- 31 SECTION ~~6~~[7]. IC 36-6-1.5-12, AS AMENDED BY
- 32 P.L.255-2013, SECTION 14, IS AMENDED TO READ AS
- 33 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Subject to
- 34 subsection (b), the officers of the new township government shall:
- 35 (1) obtain from the department of local government finance
- 36 approval under IC 6-1.1-18.5-7 of:
- 37 (A) a budget;
- 38 (B) an ad valorem property tax levy; and
- 39 (C) a property tax rate;
- 40 (2) fix the annual budget under IC 6-1.1-17;
- 41 (3) impose a property tax levy; and
- 42 (4) take any action necessary to ensure the collection of fees and

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ES 270—LS 7084/DI 87



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1 other revenue;
 2 for the new township government for the budget year following the
 3 year the officers take office.
 4 (b) The resolutions approving the township government merger
 5 under this chapter must specify the amount (if any) of the decrease that
 6 the department of local government finance shall make to the
 7 maximum permissible property tax levies, maximum permissible
 8 property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of
 9 the new township to:
 10 (1) eliminate double taxation for services or goods provided by
 11 the new township; or
 12 (2) eliminate any excess by which the amount of property taxes
 13 imposed by the new township exceeds the amount necessary to
 14 pay for services or goods provided under this article.
 15 (c) The fiscal body of the new township shall determine and certify
 16 to the department of local government finance the amount of the
 17 adjustment (if any) under subsection (b). The amount of the adjustment
 18 (if any) to be made under subsection (b) must comply with the
 19 resolutions approving the township government merger.
 20 (d) **The department may prescribe forms for submission to the**
 21 **department to expedite processing of mergers under IC 36-6-1.7.**
 22 SECTION ~~8~~[8]. IC 36-6-1.6 IS REPEALED [EFFECTIVE
 23 UPON PASSAGE]. (Dissolution of Township Government Merger).
 24 SECTION ~~9~~[9]. IC 36-6-1.7 IS ADDED TO THE INDIANA
 25 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 26 [EFFECTIVE UPON PASSAGE]:
 27 **Chapter 1.7. Merger of Certain Township Governments**
 28 **Sec. 1. This chapter does not apply to a county having a**
 29 **consolidated city.**
 30 **Sec. 2. As used in this chapter, "department" means the**
 31 **department of local government finance.**
 32 **Sec. 3. As used in this chapter, "designated township" means**
 33 **a township government that has at least four (4) points assigned by**
 34 **the department under section 9 of this chapter.**
 35 **Sec. 4. As used in this chapter, "new township government"**
 36 **means the township government that results from the merger of at**
 37 **least two (2) township governments under this chapter using the**
 38 **procedure set forth in IC 36-6-1.5.**
 39 **Sec. 5. As used in this chapter, "recipient township" means a**
 40 **township government that has not more than three (3) points**
 41 **assigned by the department under section 9 of this chapter.**
 42 **Sec. 6. (a) As used in this chapter, "state agency" means an**

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1 authority, board, branch, commission, committee, department,
2 division, or other instrumentality of the executive, including the
3 administrative department of state government.

4 (b) The term does not include the following:

5 (1) The legislative department of state government.

6 (2) The judicial department of state government.

7 (3) A state educational institution.

8 (4) A body corporate and politic created by statute.

9 Sec. 7. (a) The department shall compile the information in
10 section 8 of this chapter for each township government.

11 (b) Any state agency having:

12 (1) data; or

13 (2) information relevant to developing the data;

14 required to prepare the list under section 9 of this chapter, as
15 determined by the department, shall provide the information to the
16 department in a timely manner.

17 Sec. 8. The department shall use the compiled data to assign
18 points to each township government as follows:

19 (1) Two (2) points if a township government did not provide
20 township assistance in calendar years 2023 and 2024 as
21 provided in the annual reports submitted under
22 IC 12-20-28-3 to the state board of accounts. The state board
23 of accounts shall provide this information to the department.

24 (2) One (1) point if a township government does not actively
25 manage fire protection or emergency medical services within
26 the township on January 1, 2025. A township does not
27 actively manage fire protection or emergency medical
28 services if:

29 (A) the township government does not allocate funds for
30 fire protection or emergency medical services;

31 (B) the township government is not a provider unit in a
32 fire protection territory; or

33 (C) at least seventy-five percent (75%) of the non-capital
34 and non-debt service expenses expended from:

35 (i) the township government's firefighting and
36 emergency services fund or the firefighting fund
37 and emergency services fund under IC 36-8-13-4;
38 or

39 (ii) the fire protection territory fund under
40 IC 36-8-19-8, if the township government is a
41 provider unit in a fire protection territory;

42 were payments to other governmental units, a volunteer

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ES 270—LS 7084/DI 87



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- fire department, or an independent fire company.
- (3) One (1) point for each year that a township government did not file an annual finance report with the state board of accounts in 2023 or 2024.
- (4) One (1) point for each year a township government did not file all required monthly upload reports as required by directive of the state board of accounts in 2024 or 2025.
- (5) One (1) point if the township's annual appropriations and annual tax levy for 2023 were continued for the 2024 budget year under IC 6-1.1-17-3(d) or IC 6-1.1-17-5(f), as applicable.
- (6) One (1) point if the township's annual appropriations and annual tax levy for 2024 were continued for the 2025 budget year under IC 6-1.1-17-3(d) or IC 6-1.1-17-5(f), as applicable.
- (7) One (1) point if the sum of township assistance applications received by the township government in 2023 and 2024 is less than twenty-four (24) township assistance applications as provided in the annual reports submitted under IC 12-20-28-3 to the state board of accounts. The state board of accounts shall provide this information to the department.
- (8) One (1) point for a township government that has a certified budget of less than one hundred thousand dollars (\$100,000) for calendar year 2025.
- (9) A maximum of one (1) point if:
 - (A) a township did not have a candidate on the election ballot for the office of township trustee in either the 2018 or 2022 general election; or
 - (B) a vacancy on July 1, 2026, in the position of township trustee has been vacant for at least thirty (30) calendar days.
- However, a point may not be assigned to a township under clause (A) if the township did not have a candidate on the ballot in the 2018 or 2022 general election for the office of township trustee and the office was timely filled under IC 3-13-10 or IC 3-13-11 (whichever is applicable) before the date of the first meeting of the township board that is required under IC 36-6-6-7 in the year following the general election.
- (10) A maximum of one (1) point if:
 - (A) a township did not have a candidate on the election ballot for all offices of the township board in either the 2018 or 2022 general election; or

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(B) on July 1, 2026, there is at least one (1) vacancy on the township board that has been vacant for at least thirty (30) calendar days.

However, a point may not be assigned to a township under clause (A) if the township did not have a candidate on the ballot in the 2018 or 2022 general election for at least one (1) township board member office and the office was timely filled under IC 3-13-10 or IC 3-13-11 (whichever is applicable) before the date of the first meeting that is required under IC 36-6-6-7 in the year following the general election.

Sec. 9. (a) The department shall:

(1) assign points under section 8(1) through 8(10) of this chapter for each township government; and

(2) determine the sum of points for each township government. A township assigned at least four (4) points is considered a designated township.

(b) The department shall prepare a list of townships organized:

(1) by county; and

(2) in descending order of the townships in the county having the most points to the townships in the county having the least points.

(c) The list prepared under subsection (b) shall specify which designated township satisfies all of the following criteria:

(1) At least eighty percent (80%) of the township's boundaries coincide with a municipality's boundaries.

(2) At least fifty-one percent (51%) of the township's population resides within the corporate boundaries of a municipality described in subdivision (1).

(d) Not later than December 31, 2026, the department shall:

(1) submit the list to the legislative council in an electronic format under IC 5-14-6; and

(2) post the list on the department's website.

Sec. 10. (a) Not later than March 31, 2027, a township that has been assigned four (4) or more points may file a petition with the department to reconsider and amend the township's point total on the grounds that the point total is incorrect or because compliance with a requirement set forth in section 8(1) through 8(10) of this chapter was not possible due to a disaster (as defined in IC 10-14-3-1) that significantly disrupted operations and reporting requirements of the township and the township was assigned a

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point by the department under section 8 of this chapter. The petition must be accompanied by evidence supporting the grounds for the petition.

(b) Not later than June 30, 2027, the department shall issue a written determination on all petitions received by the department. The department's determination on a petition is final and conclusive and may not be appealed.

Sec. 11. (a) This section applies if any township point totals are corrected by the department under section 10 of this chapter.

(b) Not later than July 1, 2027, the department shall:

- (1) submit the final list to the legislative council in an electronic format under IC 5-14-6; and
- (2) post the final list on the department's website.

Sec. 12. (a) If none of the township point totals are corrected by the department, the list that was posted under section 9(d) of this chapter is the final list and may not be appealed.

(b) The department shall post on the department's website each:

- (1) petition filed under section 10(a) of this chapter; and
- (2) written determination issued by the department under section 10(b) of this chapter.

Sec. 13. A designated township:

- (1) that satisfies the criteria specified in section 9(c) of this chapter shall reorganize in accordance with IC 36-1.5-4.1; and
- (2) that does not satisfy the criteria specified in section 9(c) of this chapter shall, except as otherwise provided, merge with another township in accordance with section 14 of this chapter.

Sec. 14. Using the process set forth in IC 36-6-1.5, each designated township, excluding any township that has commenced a merger or consolidation under IC 36-1.5-4 or IC 36-6-1.5 with another unit before July 1, 2027, must merge with at least one (1) other township government in the county. After all township mergers in accordance with this section are complete, a county must have at least two (2) townships. The following requirements apply to each merger:

- (1) Except as provided in subdivision (2), at least one (1) township government that merges with a designated township must be a recipient township.
- (2) If all townships in a county are designated townships, the county executive shall select two (2) of the designated

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1 townships participating in the merger to form a new
2 township government to perform the functions of a recipient
3 township.

4 (3) The merger must satisfy the contiguity requirements set
5 forth in IC 36-6-1.5-4.

6 Sec. 15. Not later than August 1, 2027, the county executive
7 body shall conduct a public meeting of all township trustees within
8 the county to discuss the merger.

9 Sec. 16. (a) The county executive shall determine which
10 township governments will merge. The county executive's decision
11 shall:

12 (1) take into account the wishes of the designated townships
13 and recipient townships; and

14 (2) comply with the requirements of section 14 of this
15 chapter.

16 (b) Not later than October 1, 2027, the county executive shall
17 adopt a resolution that names the township governments that will
18 merge.

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

22 (1) The county legislative body.

23 (2) The county executive body.

24 (3) The clerk of the circuit court.

25 (4) The county fiscal officer.

26 (5) The county recorder.

27 (6) The county voter registration office.

28 (7) The secretary of state's office.

29 Sec. 17. (a) Not later than February 28, 2028, the following
30 must be submitted to the department:

31 (1) The resolutions adopted by the participating townships
32 and submitted by the township trustees under
33 IC 36-6-1.5-5(d).

34 (2) The estimated budget and proposed tax rate and tax levy
35 of the new township government for the 2029 budget year,
36 submitted by the township trustee of the recipient township.

37 (b) The information under subsection (a) shall be submitted on
38 any forms prescribed by the department for a merger under
39 IC 36-6-1.5-12.

40 Sec. 18. The department shall certify a new township
41 government's budget, tax rate, and levy as set forth in
42 IC 6-1.1-17-16.

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1 **Sec. 19. All township government mergers under this chapter**
2 **must be effective not later than January 1, 2029.**

3 **Sec. 20. The new township government shall pay all costs**
4 **associated with the merger.**

5 **Sec. 21. After the effective date of a merger under this chapter**
6 **and not later than December 31, 2030, the new township**
7 **government shall consist of the following:**

8 **(1) The township trustee of the recipient township shall serve**
9 **as the executive of the new township government. If the**
10 **merger consists of more than one (1) recipient township:**

11 **(A) the township trustee of the recipient township with**
12 **the least number of points; or**

13 **(B) the township trustee of the recipient township**
14 **designated by the county executive body, if all recipient**
15 **townships participating in the merger have the same**
16 **number of points;**

17 **shall serve as the executive of the new township government.**

18 **(2) The township legislative body of the recipient township**
19 **and one (1) board member of each of the other townships**
20 **participating in the merger (selected by majority vote of the**
21 **members of the designated township's legislative body) shall**
22 **serve as the legislative body of the new township**
23 **government. If the merger consists of more than one (1)**
24 **recipient township:**

25 **(A) the township board of the recipient township with**
26 **the least number of points; or**

27 **(B) the township board of the recipient township**
28 **designated by the county executive body, if all recipient**
29 **townships participating in the merger have the same**
30 **number of points;**

31 **shall serve as the legislative body of the new township**
32 **government.**

33 **Sec. 22. Notwithstanding IC 36-6-1.5-8, a township merger**
34 **under this chapter does not affect the office of township assessor.**
35 **After a merger, the township assessor remains the elected township**
36 **assessor for the territory within the geographical boundaries of the**
37 **township assessor's former township. Only voters residing within**
38 **the boundaries of the township assessor's former township may**
39 **elect the office of the township assessor.**

40 **Sec. 23. A township trustee and township board of the new**
41 **township government shall be elected in the general election in**
42 **2030 in accordance with IC 36-6-6-2.1 and IC 36-6-6-3. A township**

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1 assessor, if any, shall be elected only for the area within the
2 geographical boundaries of the township assessor's former
3 township under IC 36-6-5-1.

4 **Sec. 24. (a) Each county executive body shall prepare a report**
5 **containing the following information:**

6 (1) The number of townships in the county as of January 1,
7 2027.

8 (2) The number of townships in the county after mergers are
9 carried out under this chapter.

10 (3) A map of the townships in the county as of January 1,
11 2027.

12 (4) A map of the townships after mergers are carried out
13 under this chapter.

14 (5) An explanation of which townships are to merge.

15 (6) An explanation of how the mergers will impact fire
16 protection operations and services within the county.

17 (7) An explanation of how the mergers will impact
18 emergency medical service operations and coverage within
19 the county.

20 (8) An explanation of any cost savings that will be realized as
21 a result of the mergers.

22 (b) Not later than January 1, 2028, the county executive body
23 shall submit the report to:

24 (1) the executive director of the legislative services agency in
25 an electronic format under IC 5-14-6; and

26 (2) the department.

27 SECTION ~~9~~ [10]. IC 36-6-4-21 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE UPON PASSAGE]: **Sec. 21. (a) As used in this section,**
30 **"department" refers to the department of local government**
31 **finance.**

32 (b) Beginning in 2026, and each year thereafter, each township
33 trustee shall submit, using the computer gateway established by the
34 office of technology, the following information in a pre-budget
35 survey prescribed by the department, in consultation with the
36 department of homeland security:

37 (1) Whether the township operates a fire department,
38 including a volunteer fire department, and, if so, the name of
39 the fire department operated by the township.

40 (2) Whether the township participates in a fire territory
41 under IC 36-8-19, and, if so, the name of the unit that is the
42 provider unit.

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- 1 (3) Whether the township participates in a fire protection
 2 district under IC 36-8-11, and, if so, the name of the fire
 3 department.
 4 (4) Whether the township has an agreement with another
 5 unit to provide fire protection in a manner other than
 6 described in subdivisions (1) through (3), and the name of
 7 each unit that participates in the agreement.
 8 (5) Whether fire protection is provided by a municipality,
 9 and, if so, the name of the municipality.
 10 (6) Contact information for each fire department or provider
 11 unit described in subdivisions (1) through (5).
 12 (7) The types of emergency services provided by each fire
 13 department or provider unit described in subdivisions (1)
 14 through (5).
 15 (8) Any information prescribed by the department, in
 16 consultation with the department of homeland security
 17 necessary for the department of homeland security to comply
 18 with subsection (d).
 19 (c) The department shall compile the information provided to
 20 the department under subsection (b) and provide the information
 21 to the department of homeland security.
 22 (d) The department of homeland security shall use the
 23 information provided by the department under subsection (c) to
 24 ascertain the following information:
 25 (1) The entity that provides fire protection for each
 26 township.
 27 (2) Where each fire department and provider unit is located.
 28 (3) The service area for each fire department or fire
 29 territory.
 30 (4) Whether the fire service provided within the township is
 31 provided by a professional or volunteer fire department.
 32 (5) The types of emergency services provided in each
 33 township.
 34 (6) Contact information for each fire department and
 35 provider unit that provides fire and emergency services in
 36 the township, including the following information:
 37 (A) The contact name and address.
 38 (B) The telephone number.
 39 (C) The electronic mail address.
 40 (7) Any other information the department of homeland
 41 security deems necessary.
 42 (e) The information described in subsection (d) shall be made

ES 270—LS 7084/DI 87



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1 available on the department of homeland security's website and
2 made available in a machine readable format.

3 SECTION 1-~~1~~[1]. IC 36-6-5-1, AS AMENDED BY
4 P.L.167-2015, SECTION 14, IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Subject to
6 subsection (g), before 2009, a township assessor shall be elected under
7 IC 3-10-2-13 by the voters of each township:

8 (1) having:

9 (A) a population of more than eight thousand (8,000); or

10 (B) an elected township assessor or the authority to elect a
11 township assessor before January 1, 1979; and

12 (2) in which the number of parcels of real property on January 1,
13 2008, is at least fifteen thousand (15,000).

14 (b) Subject to subsection (g), before 2009, a township assessor
15 shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in
16 each township:

17 (1) having a population of more than five thousand (5,000) but
18 not more than eight thousand (8,000), if:

19 (A) the legislative body of the township, by resolution,
20 declares that the office of township assessor is necessary;
21 and

22 (B) the resolution is filed with the county election board not
23 later than the first date that a declaration of candidacy may
24 be filed under IC 3-8-2; and

25 (2) in which the number of parcels of real property on January 1,
26 2008, is at least fifteen thousand (15,000).

27 (c) Subject to subsection (g), a township government that is
28 created by merger under IC 36-6-1.5 shall elect only one (1) township
29 assessor under this section. **However, if a township government is**
30 **created by merger under IC 36-6-1.7, the merger does not affect**
31 **the office of township assessor. The voters of each township having**
32 **a township assessor before the merger is effective shall continue to**
33 **elect one (1) township assessor after the merger is effective. The**
34 **elected township assessor shall perform all assessing duties within**
35 **the geographical boundaries of the township assessor's former**
36 **township.**

37 (d) Subject to subsection (g), after 2008 a township assessor shall
38 be elected under IC 3-10-2-13 only by the voters of each township in
39 which:

40 (1) the number of parcels of real property on January 1, 2008, is
41 at least fifteen thousand (15,000); and

42 (2) the transfer to the county assessor of the assessment duties

ES 270—LS 7084/DI 87



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1 prescribed by IC 6-1.1 is disapproved in the referendum under
2 IC 36-2-15.

3 (e) The township assessor must reside within the township as
4 provided in Article 6, Section 6 of the Constitution of the State of
5 Indiana. The assessor forfeits office if the assessor ceases to be a
6 resident of the township.

7 (f) The term of office of a township assessor is four (4) years,
8 beginning January 1 after election and continuing until a successor is
9 elected and qualified. However, the term of office of a township
10 assessor elected at a general election in which no other township
11 officer is elected ends on December 31 after the next election in which
12 any other township officer is elected.

13 (g) To be eligible to serve as a township assessor, an individual
14 must meet the following qualifications before taking office:

15 (1) If the individual has never held the office of township
16 assessor, the individual must have attained a level two
17 assessor-appraiser certification under IC 6-1.1-35.5.

18 (2) If the individual has held the office of township assessor, the
19 individual must have attained a level three assessor-appraiser
20 certification under IC 6-1.1-35.5.

21 (h) After June 30, 2008, the county assessor shall perform the
22 assessment duties prescribed by IC 6-1.1 in a township in which the
23 number of parcels of real property on January 1, 2008, is less than
24 fifteen thousand (15,000).

25 SECTION 1 ~~IC 36-6-2.1~~ [2]. IC 36-6-2.1, AS ADDED BY P.L.240-2005,
26 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 UPON PASSAGE]: Sec. 2.1. (a) ~~This section applies if township~~
28 ~~governments merge under IC 36-6-1.5.~~

29 ~~(a)~~ (a) **This subsection does not apply to a township**
30 **government merger under IC 36-6-1.7.** If two (2) township
31 governments merge, the resulting merged township government shall
32 elect a three (3) member township board. The voters of the resulting
33 merged township government shall elect all the members of the
34 township board. One (1) member must reside within the boundaries of
35 each of the township governments that merged.

36 ~~(b)~~ (b) **This subsection does not apply to a township**
37 **government merger under IC 36-6-1.7.** If at least three (3) township
38 governments merge, the resulting merged township government shall
39 elect a township board that has the same number of members as the
40 number of township governments that merged. The voters of the
41 resulting merged township shall elect all the members of the township
42 board. One (1) township board member must reside within the

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ES 270—LS 7084/DI 87



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1 boundaries of each of the townships that merged.

2 (c) **This subsection only applies to a township government**
3 **merger under IC 36-6-1.7. Beginning with the 2030 general**
4 **election, all voters of the resulting merged township government**
5 **shall elect a three (3) member township board. Township board**
6 **members shall be elected at large.**

7 SECTION 1↔[3]. IC 36-6-6-3, AS AMENDED BY
8 P.L.240-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This subsection applies
10 to townships in a county containing a consolidated city. One (1)
11 member of the legislative body must reside within each legislative body
12 district. If a member of the legislative body ceases to be a resident of
13 the district from which the member was elected, the office becomes
14 vacant.

15 (b) This subsection applies to townships not included in subsection
16 (a) or (c). A member of the legislative body must reside within the
17 township as provided in Article 6, Section 6 of the Constitution of the
18 State of Indiana. If a member of the legislative body ceases to be a
19 resident of the township, the office becomes vacant.

20 (c) This subsection applies to a township government that:

- 21 (1) is created by a merger of township governments under
- 22 IC 36-6-1.5; and
- 23 (2) elects a township board under section ~~2.1~~ **2.1(a) or 2.1(b)** of
- 24 this chapter.

25 One (1) member of the legislative body must reside within the
26 boundaries of each of the former townships that merged. If a member
27 of the legislative body ceases to be a resident of that former township,
28 the office becomes vacant.

29 (d) **This subsection applies to a township government that:**

- 30 (1) **is created by a merger of township governments under**
- 31 **IC 36-6-1.7; and**
- 32 (2) **elects a township board under section 2.1(c) of this**
- 33 **chapter.**

34 **All members are elected at large by all voters within the merged**
35 **township. If a member of the legislative body ceases to be a**
36 **resident of the merged township, the office becomes vacant.**

37 SECTION 1↔[4]. IC 36-6-6-4, AS AMENDED BY
38 P.L.159-2021, SECTION 41, IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as
40 provided in subsections (b) and (c), two (2) members of the legislative
41 body constitute a quorum.

42 (b) Before January 1, 2017, four (4) members of the legislative

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1 ~~body in a county containing a consolidated city constitute a quorum.~~
2 ~~After December 31, 2016,~~ Three (3) members of the legislative body
3 in a county having a consolidated city constitute a quorum.

4 (c) This subsection applies to a township government that:
5 (1) is created by a merger of township governments under
6 IC 36-6-1.5 (**excluding a township that merges under**
7 **IC 36-6-1.7**); and
8 (2) elects the township legislative body under section 2.1 of this
9 chapter.

10 A majority of the members of the township legislative body constitute
11 a quorum. If a township legislative body has an even number of
12 members, the township executive shall serve by virtue of office as a
13 member of the township legislative body for the purpose of casting the
14 deciding vote to break a tie.

15 (d) For townships not described in subsection (c), **including a**
16 **township that merges under IC 36-6-1.7**, the township executive
17 shall serve by virtue of office as a member of the township legislative
18 body for the purpose of casting the deciding vote to break a tie.
19 However, the township executive may not vote to break a tie on the
20 adoption of an ordinance to increase the township executive's
21 compensation (as defined in section 10 of this chapter).

22 SECTION 1 ~~↔~~ [5]. **An emergency is declared for this act.**

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ES 270—LS 7084/DI 87



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