HOUSE BILL No. 1309

DIGEST OF INTRODUCED BILL

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

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

(Continued next page)

Effective: July 1, 2015.

Ziemke

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

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

Introduced

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1309

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

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

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

OFFICIAL PRIMARY BALLOT

_____ Party

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

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

Vote for one (1) only

Representative in Congress

[] (1) AB_____

[] (2) CD_____

[] (3) EF _____

[] (4) GH_____

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

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

(1) in a separate column on the ballot if voting is by paper ballot;

(2) after the voting instructions described in subsection (a) and before the offices described in subsection (e), in the form specified in IC 3-11-13-11 if voting is by ballot card; or

(3) as provided by either of the following if voting is by an electronic voting system:

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

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

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

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

[] YES

[] NO

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

(1) Federal and state offices:

(A) President of the United States.

(B) United States Senator.

(C) Governor.

(D) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Prosecuting attorney.

(E) Circuit court clerk.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner. This clause applies only to a county that is not subject to IC 36-2-2.5.

(I) Single county executive. This clause applies only to a county that is subject to IC 36-2-2.5.

(J) County council member.

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)). **This clause does not apply to elections in 2018 and thereafter.**

(B) Township trustee. **This clause does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(C) Township board member. **This clause does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(D) Judge of the small claims court.

(E) Constable of the small claims court.

(6) City offices:

(A) Mayor.

(B) Clerk or clerk-treasurer.

(C) Judge of the city court.

(D) City-county council member or common council member.

(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member.

(f) The political party offices with candidates for election shall be placed on the primary election ballot in the following order after the offices described in subsection (e):

(1) Precinct committeeman.

(2) State convention delegate.

(g) The local offices to be elected at the primary election shall be placed on the primary election ballot after the offices described in subsection (f).

(h) The offices described in subsection (g) shall be placed:

(1) in a separate column on the ballot if voting is by paper ballot;

(2) after the offices described in subsection (f) in the form specified in IC 3-11-13-11 if voting is by ballot card; or

(3) either:

(A) on a separate screen for each office or public question; or

(B) after the offices described in subsection (f) in the form specified in IC 3-11-14-3.5;

if voting is by an electronic voting system.

SECTION 2. IC 3-10-2-13, AS AMENDED BY P.L.77-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. The following public officials shall be elected at the general election before their terms of office expire and every four (4) years thereafter:

(1) Clerk of the circuit court.

(2) County auditor.

(3) County recorder.

(4) County treasurer.

(5) County sheriff.

(6) County coroner.

(7) County surveyor.

(8) County assessor.

(9) County commissioner. This subdivision applies only to a county that is not subject to IC 36-2-2.5.

(10) Single county executive. This subdivision applies only to a county that is subject to IC 36-2-2.5.

(11) County council member.

(12) Township trustee. **This subdivision does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(13) Township board member. **This subdivision does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(14) Township assessor (only in a township referred to in IC 36-6-5-1(d)). **This subdivision does not apply to elections in 2018 and thereafter.**

(15) Judge of a small claims court.

(16) Constable of a small claims court.

SECTION 3. IC 3-11-2-12, AS AMENDED BY P.L.77-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. The following offices shall be placed on the general election ballot in the following order after the public questions described in section 10(a) of this chapter:

(1) Federal and state offices:

(A) President and Vice President of the United States.

(B) United States Senator.

(C) Governor and lieutenant governor.

(D) Secretary of state.

(E) Auditor of state.

(F) Treasurer of state.

(G) Attorney general.

(H) Superintendent of public instruction.

(I) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Prosecuting attorney.

(E) Clerk of the circuit court.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner. This clause applies only to a county

that is not subject to IC 36-2-2.5.

(I) Single county executive. This clause applies only to a county that is subject to IC 36-2-2.5.

(J) County council member.

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)). **This clause does not apply to elections in 2018 and thereafter.**

(B) Township trustee. **This clause does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(C) Township board member. **This clause does not apply to elections in 2018 and thereafter in a county not having a consolidated city.**

(D) Judge of the small claims court.

(E) Constable of the small claims court.

(6) City offices:

(A) Mayor.

(B) Clerk or clerk-treasurer.

(C) Judge of the city court.

(D) City-county council member or common council member.

(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member.

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

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

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

occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68 **or (after December 31, 2018) by the county executive or county executive's designee in a county not having a consolidated city.**

(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-15-1.

(d) The exemption application referred to in section 3 or 3.5 of this chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21;

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16;

(C) other tangible property owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16; or

(D) other tangible property owned by a fraternity or sorority (as defined in IC 6-1.1-10-24).

(2) the exemption application referred to in section 3 or 3.5 of this chapter was filed properly at least once for a religious use under IC 6-1.1-10-21, an educational, literary, scientific, religious, or charitable use under IC 6-1.1-10-16, or use by a fraternity or sorority under IC 6-1.1-10-24; and

(3) the property continues to meet the requirements for an exemption under IC 6-1.1-10-16, IC 6-1.1-10-21, or IC 6-1.1-10-24.

(e) If, after an assessment date, an exempt property is transferred or its use is changed resulting in its ineligibility for an exemption under IC 6-1.1-10, the county assessor shall terminate the exemption for that assessment date. However, if the property remains eligible for an exemption under IC 6-1.1-10 following the transfer or change in use, the exemption shall be left in place for that assessment date. For the following assessment date, the person that obtained the exemption or the current owner of the property, as applicable, shall, under section 3 of this chapter and except as provided in this section, file a certified application in duplicate with the county assessor of the county in which the property that is the subject of the exemption is located. In all cases,

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

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

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

(1) ~~township~~ **local** assistance;

(2) unemployment relief;

(3) old age pensions; or

(4) other funds which may at any time be made available under "The Economic Security Act" or under any other federal act which provides for civil and public works projects.

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

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

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

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

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

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

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

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

(1) in any county of the solid waste management district; and

(2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) the cost of personal services (including fringe benefits);

(B) the cost of supplies; and

(C) any other cost directly related to the operation of the court.

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

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

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

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

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

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

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

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

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

assessed value of property tax deductions in all counties under IC 6-1.1-12-41 or IC 6-1.1-12-42 in the particular calendar year; or

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

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

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Divide the STEP THREE amount by the STEP FIVE amount.

The civil taxing unit may increase its levy by a percentage not greater than the percentage by which the STEP THREE amount exceeds the percentage by which the civil taxing unit may increase its levy under section 3 of this chapter based on the assessed value growth quotient determined under section 2 of this chapter.

(4) A levy increase may not be granted under this subdivision for property taxes first due and payable after December 31, 2008. Permission to the civil taxing unit to increase its levy in excess of the limitations established under section 3 of this chapter, if the local government tax control board finds that the civil taxing unit needs the increase to pay the costs of furnishing fire protection for the civil taxing unit through a volunteer fire department. For purposes of determining a township's need for an increased levy, the local government tax control board shall not consider the amount of money borrowed under IC 36-6-6-14 during the immediately preceding calendar year. However, any increase in the amount of the civil taxing unit's levy recommended by the local government tax control board under this subdivision for the ensuing calendar year may not exceed the lesser of:

(A) ten thousand dollars ($10,000); or

(B) twenty percent (20%) of:

(i) the amount authorized for operating expenses of a volunteer fire department in the budget of the civil taxing unit for the immediately preceding calendar year; plus

(ii) the amount of any additional appropriations authorized

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

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

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

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

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

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

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

assessed valuation before the increase.

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

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

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

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

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

(A) the civil taxing unit is:

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

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

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

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

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

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

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

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

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

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

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

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

(ii) has not been terminated;

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

(i) American Correctional Association Jail Construction Standards; and

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

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

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

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

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

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

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

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

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

(12) A levy increase may be granted under this subdivision only for property taxes first due and payable after December 31, 2008. Permission to a civil taxing unit to increase its levy in excess of the limitations established under section 3 of this chapter if the civil taxing unit cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 of this chapter due to a natural disaster, an accident, or another unanticipated emergency.

(13) Permission to Jefferson County to increase its levy in excess of the limitations established under section 3 of this chapter if the department finds that the county experienced a property tax revenue shortfall that resulted from an erroneous estimate of the effect of the supplemental deduction under IC 6-1.1-12-37.5 on the county's assessed valuation. An appeal for a levy increase under this subdivision may not be denied because of the amount of cash balances in county funds. The maximum increase in the county's levy that may be approved under this subdivision is three hundred thousand dollars ($300,000).

(b) The department of local government finance shall increase the maximum permissible ad valorem property tax levy under section 3 of this chapter for the city of Goshen for 2012 and thereafter by an amount equal to the greater of zero (0) or the result of:

(1) the city's total pension costs in 2009 for the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7); minus

(2) the sum of:

(A) the total amount of state funds received in 2009 by the city and used to pay benefits to members of the 1925 police pension fund (IC 36-8-6) or the 1937 firefighters' pension fund (IC 36-8-7); plus

(B) any previous permanent increases to the city's levy that were authorized to account for the transfer to the state of the responsibility to pay benefits to members of the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7).

(c) In calendar year 2013, the department of local government finance shall allow a township to increase its maximum permissible ad valorem property tax levy in excess of the limitations established under section 3 of this chapter, if the township:

(1) petitions the department for the levy increase on a form prescribed by the department; and

(2) submits proof of the amount borrowed in 2012 or 2013, but

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

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

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

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

STEP ONE: Determine:

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

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

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

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

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

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

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

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

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

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

(1) the total amount of property taxes levied for local assistance by all townships in the county for property taxes first due and payable in 2018; multiplied by

(2) the assessed value growth quotient determined under section 2 of this chapter for 2019.

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

(1) the county's maximum permissible ad valorem property tax levy for local assistance determined under this section for the current calendar year; multiplied by

(2) the assessed value growth quotient determined under section 2 of this chapter for the ensuing calendar year.

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

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

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

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

(2) twelve (12).

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

(d) This section expires January 1, 2019.

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

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

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

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

(A) employs a new superintendent; or

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

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

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

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

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

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

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

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

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

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

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

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

(3) by the people with public donations;

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

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

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

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

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

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

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

(B) After December 31, 2018:

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

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

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

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

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

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

(30) days after the date of application for ~~township~~ **local** assistance. The term includes the following:

(1) Gross wages before mandatory deductions.

(2) Social Security benefits, including Supplemental Security Income.

(3) Aid to Families with Dependent Children.

(4) Unemployment compensation.

(5) Worker's compensation (except compensation that is restricted for the payment of medical expenses).

(6) Vacation pay.

(7) Sick benefits.

(8) Strike benefits.

(9) Private or public pensions.

(10) Taxable income from self-employment.

(11) Bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.

(12) Child support.

(13) Gifts of cash, goods, or services.

(14) Other sources of revenue or services that the ~~township trustee~~ **administrator (as defined in IC 12-7-2-1.5(3))** may reasonably determine to be countable income.

SECTION 22. IC 12-7-2-51 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 51. "Creditor", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-3.~~

SECTION 23. IC 12-7-2-68 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 68. "Distressed township", for purposes of IC 12-20-25, has the meaning set forth in IC 12-20-25-4.~~

SECTION 24. IC 12-7-2-76.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 76.5. (a) "Emergency", for purposes of IC 12-20, means an unpredictable circumstance or a series of unpredictable circumstances that:

(1) place the health or safety of a household or a member of a household in jeopardy; and

(2) cannot be remedied in a timely manner by means other than ~~township~~ **local** assistance.

(b) "Emergency", for purposes of IC 12-17.6, has the meaning set forth in IC 12-17.6-1-2.6.

SECTION 25. IC 12-7-2-115 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 115. "Indebtedness", for purposes of IC 12-20-25, has~~

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

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

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

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

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

(b) This section applies to the following statutes:

(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

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

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

(A) IC 12-10-6.

(B) IC 12-13.

(C) IC 12-14.

(D) IC 12-15.

(E) IC 12-19.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The township trustee is the administrator of local assistance in the township.

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

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

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

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

(c) A person who unfairly profits from the:

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

(2) provision of services;

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 4. (a) In preparing a plan, the county legislative body shall:

(1) consider whether areas are overserved or underserved in the delivery of local assistance;
(2) consider the local assistance budget;

(3) determine whether the county may contract with a service provider to provide some or all local assistance services to the county; and

(4) recognize and coordinate with other providers of relief for indigent persons.

(b) The plan must meet the requirements of this chapter.

Sec. 5. (a) After preparing a plan, the county legislative body shall review the plan during at least two (2) public meetings at which the public and any interested parties are entitled to the opportunity to comment on the plan.

(b) The county legislative body shall by ordinance adopted before January 1, 2019:

(1) approve the plan; or

(2) modify the plan and then approve the plan.

Sec. 6. A plan adopted under this chapter must include the following:

(1) A plan specifying any necessary requirements in the transition to the delivery of local assistance throughout the county.

(2) The county's procedures for application and review of local assistance requests.

(3) The forms of local assistance.

(4) A description of the supervisors, investigators, assistants, or other necessary employees that will be employed in discharging the administrator's duties concerning the provision of local assistance, and a recommendation concerning the compensation of these employees.

(5) A description of the offices that must be maintained in the county to carry out the administrator's duties concerning the provision of local assistance.

(6) A description of the proposed standards for local assistance.

(7) In the case of any service, program, limitation, power, or duty that may under this article or IC 12-30-4 be included in the plan, a description of whether or not that service, program, limitation, power, or duty is included in the plan.

(8) Any other provisions necessary to address the provision of local assistance under this article.

Sec. 7. After a plan is approved by the county legislative body, the plan and the transfer of local assistance responsibilities to the county as provided in the plan take effect January 1, 2019.

Sec. 8. The county legislative body may review a plan adopted

under this chapter and may adopt amendments to the plan.

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

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

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

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

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

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

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

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

(A) accepting and processing applications for local assistance;

(B) investigating applications for local assistance;

(C) approving and denying applications for local assistance;

(D) administering approved relief; and

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

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

(3) Manage staff.

(4) Operate local assistance offices.

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

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

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

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

(9) Enter into and manage contracts with human services

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

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

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

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

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

(b) The division of family resources:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) A ~~township~~ **local** assistance supervisor, investigator, assistant,

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

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

(1) is a high school graduate or possesses an equivalent degree;

(2) is at least eighteen (18) years of age; and

(3) is a resident of the county where the township is located.

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

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

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

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

(1) has been an Indiana resident for at least one (1) year immediately preceding the individual's appointment; or

(2) has had at least one (1) year of experience as a ~~township~~ **local** assistance investigator.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) This subdivision applies after December 31, 2018, only to a county not having a consolidated city. The standards must be adopted by the county legislative body.

~~(3)~~ **(4) The standards must be** reviewed and updated annually to reflect changes in the cost of basic necessities in the township **or (after December 31, 2018) the county, in the case of a county not having a consolidated city,** and changes in the law.

~~(4)~~ **(5) The standards must be** published in a single written document, including addenda attached to the document. ~~and~~

~~(5)~~ **(6) The standards must be** posted in a place prominently visible to the public in all offices of the ~~township trustee~~ **administrator** where ~~township~~ **local** assistance applications are taken or processed.

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

(1) Criteria for determining ~~township~~ **local** assistance eligibility.

(2) Minimum requirements of ~~township trustee~~ accessibility **to the office of the administrator of local assistance.**

(3) Other information as needed, including the following:

(A) ~~Township~~ **Local assistance** office locations, hours, and days of availability.

(B) Initial eligibility criteria.

(C) Continuing eligibility criteria.

(D) Workfare requirements.

(E) Essential and nonessential assets.

(F) Available resources.

(G) Income exemptions.

(H) Application process.

(I) Countable income.

(J) Countable assets.

(K) Wasted resources.

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

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

a consolidated city.

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

(1) ~~township trustee's~~ **administrator's** name;

(2) availability of ~~township~~ **local** assistance; and

(3) ~~township~~ **local** assistance office's telephone number.

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

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

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

(1) determine eligibility; and

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

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

(1) Provide ~~township~~ **local** assistance office hours for at least fourteen (14) hours per week.

(2) Provide that there is not more than one (1) weekday between the days the ~~township~~ **local** assistance office is open.

(3) Provide for after hours access to the ~~township~~ **local** assistance office by use of an answering machine or a service:

(A) capable of taking messages; and

(B) programmed to provide information about ~~township~~ **local** assistance office hours.

(4) Respond to a telephone inquiry for ~~township~~ **local** assistance services not more than twenty-four (24) hours, excluding Saturdays, Sundays, and legal holidays, after receiving the inquiry.

(5) Post ~~township~~ **local** assistance office hours and telephone

numbers at the entrance to each ~~township~~ **local** assistance office.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) has a mental or physical disability, including mental retardation, cerebral palsy, blindness, or paralysis;

(2) has dyslexia; or

(3) cannot read or write the English language.

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

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

applicant verifies that:

(1) the applicant has filed, within the one hundred eighty (180) days preceding the application for ~~township~~ **local** assistance, an application for assistance under a federal or state public assistance program administered by the division of family resources and county offices or by another federal or state governmental entity;

(2) the applicant or a member of the applicant's household is receiving assistance under a public assistance program administered by the division of family resources and county offices or another federal or state governmental entity; or

(3) the applicant or a member of the applicant's household has an emergency need that the ~~trustee~~ **administrator** determines must be met immediately.

SECTION 63. IC 12-20-6-5, AS AMENDED BY P.L.145-2006, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. If the ~~township~~ ~~trustee~~ **administrator** determines that an applicant or a member of the applicant's household who is granted emergency ~~township~~ **local** assistance under section ~~3(3)~~ **3(b)(3)** of this chapter may be eligible for public assistance other than ~~township~~ **local** assistance, the applicant shall, not more than fifteen (15) working days after the date that emergency ~~township~~ **local** assistance **under section 3(b)(3) of this chapter** was granted file an application for public assistance and comply with all the requirements necessary for completing the application process for public assistance administered by the division of family resources and county offices or another federal or state governmental entity. An applicant or a member of the applicant's household who fails to file an application for public assistance not more than fifteen (15) working days after the date that emergency ~~township~~ **local** assistance **under section 3(b)(3) of this chapter** was granted may not be granted **any additional** ~~township~~ **local** assistance for sixty (60) days following the grant of ~~township~~ **local** assistance on an emergency basis **under section 3(b)(3) of this chapter.**

SECTION 64. IC 12-20-6-5.5, AS AMENDED BY P.L.145-2006, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5.5. (a) This section does not apply in an emergency.

(b) If, before granting ~~township~~ **local** assistance, the ~~township~~ ~~trustee~~ **administrator** determines that an applicant or a member of an applicant's household may be eligible for public assistance other than ~~township~~ **local** assistance, the applicant or household member shall,

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

(1) the division of family resources and county offices; or

(2) any other federal or state governmental entity.

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

(1) file an application as specified in subsection (b); and

(2) show evidence that the application, as referred by the ~~township trustee~~ **administrator** was filed not more than fifteen (15) working days after the ~~township trustee's~~ **administrator's** referral;

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

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

(1) If the conviction is for a misdemeanor, for one (1) year after the conviction.

(2) If the conviction is for a felony, for ten (10) years after the conviction.

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

(1) date of the improper conduct; or

(2) date aid was last extended to the individual based on the improper conduct.

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

(1) ~~a township trustee~~ **an administrator** may not extend aid to or for the benefit of an individual if that aid would pay for goods or services provided to or for the benefit of the individual; and

(2) a:

(A) township; **or**

(B) after December 31, 2018, county, in the case of a county

not having a consolidated city;

is not obligated to pay the cost of basic necessities incurred on behalf of the household in which the individual resides;

during a period that the individual has previously applied for and been denied ~~township~~ **local** assistance.

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

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

(1) Grant **local** assistance.

(2) Deny **local** assistance, including a partial denial of **local** assistance requested.

(3) Leave the decision pending.

(c) A decision pending determination under subsection (b)(3):

(1) may not remain pending for more than seventy-two (72) hours after the expiration of the period described in subsection (a); and

(2) must include a statement listing the specific reasons that **local** assistance is not granted or denied within the period required under subsection (a).

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

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

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

city.

(B) After December 31, 2018, to the circuit court having jurisdiction in the county, in the case of a county not having a consolidated city.

(2) Include in the notice required under subdivision (1) the following:

(A) The type and amount of assistance granted.

(B) The type and amount of assistance denied or partially granted.

(C) Specific reasons for denying all or part of the assistance requested.

(D) Information advising the applicant of the procedures for appeal to **the following:**

(i) The board of commissioners. **After December 31, 2018, this item applies only to a county having a consolidated city.**

(ii) After December 31, 2018, to the circuit court having jurisdiction in the county, in the case of a county not having a consolidated city.

(b) A copy of the notice described in subsection (a) shall be filed with the recipient's application and affidavit in the ~~trustee's~~ **administrator's** office.

(c) An application for ~~township~~ **local** assistance is not considered complete until all adult members of the requesting household have signed:

(1) the ~~township~~ **local** assistance application; and

(2) any other form, instrument, or document:

(A) required by law; or

(B) determined necessary for investigative purposes by the ~~trustee,~~ **administrator** as contained in the ~~township's township~~ **local** assistance guidelines.

SECTION 69. IC 12-20-6-9, AS AMENDED BY P.L.73-2005, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. If an application for ~~township~~ **local** assistance is made to the ~~township trustee as~~ administrator, ~~of township assistance~~ the ~~township trustee as~~ administrator ~~of township assistance,~~ shall carefully investigate the circumstances of the applicant and each member of the applicant's household to ascertain the following:

(1) Legal residence.

(2) Names and ages.

(3) Physical condition relating to sickness or health.

(4) Present and previous occupation.

(5) Ability and capacity to perform labor.

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

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

(A) Past or present employment.

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

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

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

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

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

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

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

(1) the same household as the relative; or

(2) housing separate from the relative and either:

(A) the housing is unencumbered by mortgage; or

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

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

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

(1) The applicant's name, case number, and address.

(2) The types of information being solicited, including the following:

(A) Countable income.

(B) Countable assets.

(C) Wasted resources.

(D) Relatives capable of providing assistance.

(E) Past or present employment.

(F) Pending claims or causes of action.

(G) A medical condition if relevant to work or workfare requirements.

(H) Any other information required by law.

(3) The names of individuals, agencies, and ~~township trustee~~ **administrator** offices that will receive the information.

(4) The expiration date of the permission to disclose information.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) benefits received by;

members of an applicant's household.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) a child;

(2) the parent of a child requiring the parent's care; or

(3) sick, aged, injured, crippled, or physically or mentally unable to work or travel;

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

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

(1) who:

(A) applies to the ~~township trustee, as~~ administrator ~~of township assistance,~~ for assistance or is in need of assistance; or

(B) obtains free medical aid, hospitalization, public institutional care, or assistance in any part at public expense; and

(2) who does not have legal residence in the township **or (after**

December 31, 2018) the county, in the case of a county not having a consolidated city;

may be returned by the ~~township trustee, as~~ administrator ~~of township assistance,~~ to the individual's place of legal residence if that place can be determined.

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

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

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

(1) has been:

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

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

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

of the individual's household was sent.

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

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

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

(2) either:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) courses at Ivy Tech Community College;

the ~~township~~ **local** assistance recipient is exempt from performing work or searching for work for not more than one hundred eighty (180) days.

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

(1) has a proven aptitude for the courses being studied;

(2) was referred by the ~~trustee;~~ **administrator;**

(3) does not qualify for other tax supported educational programs;

(4) maintains a passing grade in each course; and

(5) maintains the minimum attendance requirements specified by the educational institution.

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

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

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

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

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

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

(1) federal, state, or local governmental entity; or

(2) nonprofit agency.

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

(1) Conduct the following for ~~township~~ **local** assistance recipients in the township:

(A) Rehabilitation programs.

(B) Training programs.
(C) Retraining programs.
(D) Work programs.
(2) Employ personnel to supervise the programs.
(3) Pay the costs of the programs from ~~township~~ **local** assistance money.

SECTION 99. IC 12-20-13-3, AS AMENDED BY P.L.73-2005, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) An expenditure of money may not be made under this chapter except after a specific appropriation made and approved in the manner provided by law.

(b) An appropriation may not be made or approved unless a sufficient amount of money to cover the proposed expenditure is included in the annual budget of the ~~township trustee~~ **administrator** for ~~township~~ **local** assistance purposes.

SECTION 100. IC 12-20-15-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. After December 31, 2018, this chapter does not apply to a county not having a consolidated city.**

SECTION 101. IC 12-20-15-1, AS AMENDED BY P.L.73-2005, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. If an applicant for or recipient of ~~township~~ **local** assistance is not satisfied with the decision of the ~~township trustee, as~~ administrator, ~~of township assistance,~~ the applicant or recipient may appeal to the board of commissioners.

SECTION 102. IC 12-20-15-2, AS AMENDED BY P.L.73-2005, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. An applicant for ~~township~~ **local** assistance must file the applicant's appeal not more than fifteen (15) days from the date of issuance by the ~~township trustee~~ **administrator** of adequate written notice of the denial of ~~township~~ **local** assistance as provided by IC 12-20-6-8. An appeal must be made in writing or orally as required by the board of commissioners.

SECTION 103. IC 12-20-15-3, AS AMENDED BY P.L.73-2005, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The board of county commissioners may:
(1) conduct a hearing on the appeal; or
(2) appoint a hearing officer:
(A) from among the board;
(B) from among the employees of the board; or
(C) from qualified residents of the county;
who will conduct a hearing for the board.

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

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

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

(A) of a witness; or

(B) for production of evidence;

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) appear in the official records of the board;

(2) be issued to the appellant and the ~~township trustee~~ **administrator** not more than five (5) working days following the date of the hearing;

(3) state the legal and factual basis for the decision;

(4) advise the appellant and the ~~township trustee~~ **administrator** of the right to judicial review and the period prescribed for requesting judicial review; and

(5) inform the appellant of the availability of free legal counsel for the indigent.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

are properly furnished.

(b) ~~A township trustee~~ **An administrator** may not provide to an individual medical assistance under the ~~township~~ **local** assistance program if the individual could qualify for medical assistance for the same service under:

(1) IC 12-16;

(2) Medicaid;

(3) other governmental medical programs; or

(4) private health insurance that would cover the individual at the time the assistance was provided. However, if the individual's insurance does not pay for the medical assistance due to a policy deductible or other policy limitation, the ~~township trustee~~ **administrator** shall pay for medical assistance that the ~~trustee~~ **administrator** would provide if the individual did not have insurance.

However, ~~a township trustee~~ **an administrator** may provide interim medical services during the period that the individual has an application pending for medical assistance under Medicaid (IC 12-15) or another governmental medical program if the individual is reasonably complying with all requirements of the application process.

(c) The ~~township trustee~~ **administrator** shall pay only for the following medical services for the poor of the township **or (after December 31, 2018) in the county, in the case of a county not having a consolidated city:**

(1) Prescription drugs, not to exceed a thirty (30) day supply at a time, as prescribed by an attending practitioner (as defined in IC 16-42-19-5) other than a veterinarian. However, if the prescription drugs are available only in a container that contains more than a thirty (30) day supply, the ~~township trustee~~ **administrator** may pay for the available size.

(2) Office calls to a physician licensed under IC 25-22.5 or another medical provider.

(3) Dental care needed to relieve pain or infection or to repair cavities.

(4) Repair or replacement of dentures.

(5) Emergency room treatment that is of an emergency nature.

(6) Preoperation testing prescribed by an attending physician licensed under IC 25-22.5.

(7) Over-the-counter drugs prescribed by a practitioner (as defined in IC 16-42-19-5) other than a veterinarian.

(8) X-rays and laboratory testing as prescribed by an attending physician licensed under IC 25-22.5.

(9) Visits to a medical specialist when referred by an attending physician licensed under IC 25-22.5.

(10) Physical therapy prescribed by an attending physician licensed under IC 25-22.5.

(11) Eyeglasses.

(12) Repair or replacement of a prosthesis not provided for by other tax supported state or federal programs.

(13) Insulin and items needed to administer the biological, not to exceed a thirty (30) day supply at a time, in accordance with section 14 of this chapter. However, if the biologicals are available only in a container that contains more than a thirty (30) day supply, the ~~township trustee~~ **administrator** may pay for the available size.

(d) The ~~township trustee~~ **administrator** may establish a list of approved medical providers to provide medical services to the poor of the township **or (after December 31, 2018) in the county, in the case of a county not having a consolidated city.** Any medical provider who:

(1) can provide the particular medical services within the scope of the provider's license issued under IC 25; and

(2) is willing to provide the medical services for the charges established by the ~~township trustee;~~ **administrator;**

is entitled to be included on the list.

(e) Unless prohibited by federal law, ~~a township trustee~~ **an administrator** who:

(1) provides to an individual medical assistance that is eligible for payment under any medical program described in subsection (b) for which payments are administered by an agency of the state during the pendency of the individual's successful application for the program; and

(2) submits a timely and proper claim to the agency;

is eligible for reimbursement by the agency to the same extent as any medical provider.

(f) If ~~a township trustee~~ **an administrator** provides medical assistance for medical services provided to an individual who is subsequently determined to be eligible for Medicaid:

(1) the ~~township trustee~~ **administrator** shall notify the medical provider that provided the medical services of the individual's eligibility; and

(2) not later than thirty (30) days after the medical provider receives the notice under subdivision (1), the medical provider shall file a claim for reimbursement with the office.

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

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

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

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

(1) Water services.

(2) Gas services.

(3) Electric services.

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

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

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

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

(1) that is not properly charged to:

(A) an adult member of a household;

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

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

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

(ii) is responsible for payment of the bill;

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

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

(A) a security deposit; or

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

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

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

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

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

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

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

individual's household.

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

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

(1) fire, flood, or other natural disaster;

(2) burglary or other criminal act; or

(3) the unpreventable spoilage of food.

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

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

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

(1) During the interim period beginning when an applicant or a household is awaiting a determination of eligibility from the food stamp office and ending not more than five (5) days after the day the applicant or household becomes eligible to participate in the federal food stamp program.

(2) Upon the verified loss of the household's food stamps or food supply by:

(A) fire or other natural disaster; or

(B) burglary or other criminal act, if the requesting applicant

or household files a report with the appropriate law enforcement agency.

(3) Upon the loss of the applicant's or household's food supply through spoilage.

(4) Upon a written statement from a physician indicating that at least one (1) member of the household needs a special diet, the cost of which is greater than can be purchased with the household's allotment of food stamps.

(5) If the ~~township trustee, as~~ administrator ~~of township assistance,~~ determines that an applicant or a household:

(A) is in need of supplementary food assistance; and

(B) has participated in the federal food stamp program to the fullest extent allowable under federal and state law;

and supplementary food assistance is required by the circumstances of the particular case.

SECTION 116. IC 12-20-16-7, AS AMENDED BY P.L.73-2005, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) A combined grocery (marketing fresh vegetables, fresh eggs, and dairy products) and meat market (marketing fresh meat) in a township having a population of more than ten thousand (10,000) **or (after December 31, 2018) county, in a county that has a population of more than ten thousand (10,000) and does not have a consolidated city,** is eligible to accept food purchase orders from the ~~township trustee, as~~ administrator ~~of township assistance,~~ in the township **or (after December 31, 2018) county, in a county not having a consolidated city,** in which the market is located if the owner of the market has applied to the ~~township trustee~~ **administrator** using a form prescribed by the state board of accounts.

(b) A market described in subsection (a) remains eligible to accept township food purchase orders unless any of the following conditions exist:

(1) The owner notifies the ~~township trustee, as~~ administrator ~~of township assistance,~~ to remove the owner's market from the eligible list.

(2) An appropriate health or other governmental agency closes the market.

(3) The ~~township trustee, as~~ administrator ~~of township assistance,~~ removes the market from the eligible list for a period not to exceed six (6) months because the management of the market, in filling a township food or household supply order:

(A) includes in the order tobacco products, alcoholic beverages, or other nonqualifying items; or

(B) fails to routinely request identification from an individual who redeems a township purchase order.

(4) A person who owns or is employed by the market has been convicted of ~~township~~ **local** assistance fraud under IC 12-20-1-4(c).

(c) A combined grocery and meat market shall, in filling a township purchase order for food and household supplies, attach to the purchase order form either a cash register tape or a written or typed itemization of the cost of the food and household supplies purchased. Household supplies, including first aid and medical supplies, are not considered food.

(d) The cash register tape or itemization required by subsection (c) is the full and complete record of purchase for all purposes. More complete records or itemization may not be required by any individual, government official, or entity.

SECTION 117. IC 12-20-16-8, AS AMENDED BY P.L.73-2005, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) If an applicant or a household is considered by the ~~township trustee, as~~ administrator ~~of township assistance,~~ to be incompetent or irresponsible to select food from a combined grocery and meat market or to make proper use of food stamps, the ~~township trustee, as~~ administrator ~~of township assistance,~~ shall issue the food purchase order in the name of one (1) of the following:

(1) Another adult member of the household.

(2) Another relative living in another household.

(3) Any other individual considered competent by the ~~township trustee, as~~ administrator. ~~of township assistance.~~

(b) For the purpose of selecting the combined grocery and meat market in a township having a population of more than ten thousand (10,000) from which food for the household is to be obtained, the competent individual referred to in subsection (a) shall be considered the individual responsible.

SECTION 118. IC 12-20-16-9, AS AMENDED BY P.L.145-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) ~~A township trustee~~ **An administrator** may not provide food assistance for more than thirty (30) days unless an individual files an application with the ~~township trustee~~ **administrator** that includes the following:

(1) Evidence of application for food stamps from the division of family resources.

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

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

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

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

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

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

(b) If:

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

(A) money;

(B) real or personal property;

(C) other assets that may be liquidated; or

(D) other means necessary to defray funeral expenses; and

(2) the individual is not a resident of another township **or (after December 31, 2018) another county** in Indiana;

the ~~township trustee, as~~ administrator ~~of township assistance,~~ shall provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual. If the ~~township trustee~~ **administrator** determines that the deceased individual is a resident of another township **or (after December 31, 2018) another county** in Indiana, the ~~township trustee~~ **administrator** shall notify the ~~trustee~~ **administrator** of that township **or (after December 31, 2018) that county,** who shall then provide a person to superintend and authorize either the funeral and burial or cremation of the deceased individual.

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

(1) Any monetary benefits that the deceased individual is entitled to receive from a state or federal program.

(2) Any money that another person provides on behalf of the deceased individual.

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

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

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

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

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

(1) the deceased individual; or

(2) a surviving family member of the deceased individual;

has objected in writing to cremation.

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

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

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

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

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

requirements of IC 16-41-19-4.

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

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

(1) mobile homes;
(2) group homes;
(3) single household units;
(4) multiple household units;
(5) apartments; or
(6) any other dwelling;

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

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

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

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

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

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

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

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

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

shelter.

(f) ~~A township trustee~~ **An administrator** is not required to spend ~~township~~ **local** assistance funds for a shelter damage or security deposit for an eligible ~~township~~ **local** assistance applicant or household. However, the ~~trustee~~ **administrator** may encumber money for a shelter damage or security deposit by making an agreement with a property owner who furnishes shelter for a ~~township~~ **local** assistance recipient or household. The agreement must include the following:

(1) The agreement's duration, not to exceed one hundred eighty (180) days.

(2) A statement that the agreement may be renewed if both parties agree.

(3) The total value of the encumbered money, not to exceed the value of one (1) month's rental payment.

(4) A statement signed by both the ~~trustee~~ **administrator** and the property owner attesting to the condition of the property at the time the agreement is made.

(5) A statement that encumbered money may be used to pay the cost of:

(A) verified damages, normal wear excluded, caused by the tenant ~~township~~ **local** assistance recipient during the duration of the agreement; and

(B) any unpaid rental payments for which the tenant ~~township~~ **local** assistance recipient is obligated.

(6) A statement that the total amount to be paid from the encumbered money may not exceed one (1) month's rental payment for the unit in question.

(g) ~~A trustee~~ **An administrator** is not required to provide shelter assistance to an otherwise eligible individual if the:

(1) individual's most recent residence was provided by the individual's parent, guardian, or foster parent; and

(2) individual, without just cause, leaves that residence for the shelter for which the individual seeks assistance.

SECTION 126. IC 12-20-17-1, AS AMENDED BY P.L.73-2005, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. If ~~a township trustee~~ **an administrator** determines by investigation that a ~~township~~ **local** assistance applicant or a ~~township~~ **local** assistance applicant's household requires assistance, the ~~township trustee~~ **administrator** shall, after determining that an emergency exists, furnish to the applicant or household the temporary aid necessary for the relief of immediate suffering. However, before any further final or permanent relief is given, the ~~township~~

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

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

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

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

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

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

(1) establish one (1) or more household shelter units; and

(2) pay a pro rata share of all administrative and other costs incidental to the maintenance and operation of each shelter unit established in subdivision (1).

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

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

(1) under the influence of drugs or alcohol; or

(2) incapable of self-care.

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

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

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

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

(1) enter into a contract with; or

(2) pay shelter costs to;

a shelter that is supported by federal or state funds.

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

(1) sick;

(2) in need;

(3) without necessary financial resources; and

(4) likely to suffer;

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

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

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

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

reasonably required under the purposes of this article.

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

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

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

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

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

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

(1) Establish a single stamp issuing agency.

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

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

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

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

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

(b) The issuing officer must furnish a bond:

(1) payable to the state; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This subsection expires January 1, 2019.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) twelve (12).

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

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

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

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

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

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

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

administration property tax levy.

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

STEP ONE: Determine the result of:

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

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

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

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

STEP ONE: Multiply:

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

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

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

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

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

(1) shall be deposited into a separate fund;

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

assistance within the township; and

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

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

(1) shall be deposited into a separate fund;

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

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

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

(i) This section expires January 1, 2019.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

shall be filed in the office of the county auditor.

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

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

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

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

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

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

(2) Show the amount of money that the board estimates will be needed to fund the deficit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) borrows money under this chapter;

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

(b) If the county fiscal body:

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

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

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

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

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

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

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

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

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

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

(1) dies, leaving an estate; and

(2) is not survived by:

(A) a spouse;

(B) an adult dependent with a disability; or

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

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

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

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

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

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

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

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

(1) enter into a subrogation agreement; or

(2) sign a Social Security Administration's reimbursement authorization;

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

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

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

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

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

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

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

(1) number of times assistance is provided; or

(2) number of households in which the individual resides during a particular year.

~~(e)~~ **(f)** As used in this section, "total number of requests for assistance" means the number of times an individual or a household separately requests any type of ~~township~~ **local** assistance.

~~(f)~~ **(g)** The ~~township trustee~~ **administrator** shall file an annual statistical report on township housing, medical care, utility assistance, food assistance, burial assistance, food pantry assistance, services related to representative payee programs, services related to special nontraditional programs, and case management services with the state board of accounts. The ~~township trustee~~ **administrator** shall provide a copy of the annual statistical report to the county auditor. The county auditor shall keep the copy of the report in the county auditor's office. Except as provided in subsection ~~(k),~~ **(l),** the report must be made on a form provided by the state board of accounts. The report must contain the following information:

(1) The total number of requests for assistance.

(2) The total number of each of the following:

(A) Recipients of ~~township~~ **local** assistance.

(B) Households containing recipients of ~~township~~ **local** assistance.

(C) Case contacts made with or on behalf of:

(i) recipients of ~~township~~ **local** assistance; or

(ii) members of a household receiving ~~township~~ **local** assistance.

(3) The total value of benefits provided to recipients of ~~township~~ **local** assistance.

(4) The total value of benefits provided through the efforts of township staff from sources other than township funds.

(5) The total number of each of the following:

(A) Recipients of ~~township~~ **local** assistance and households receiving utility assistance.

(B) Recipients assisted by township staff in receiving utility assistance from sources other than township funds.

(6) The total value of benefits provided for the payment of utilities, including the value of benefits of utility assistance provided through the efforts of township staff from sources other than township funds.

(7) The total number of each of the following:

(A) Recipients of ~~township~~ **local** assistance and households receiving housing assistance.

(B) Recipients assisted by township staff in receiving housing

assistance from sources other than township funds.

(8) The total value of benefits provided for housing assistance, including the value of benefits of housing assistance provided through the efforts of township staff from sources other than township funds.

(9) The total number of each of the following:

(A) Recipients of ~~township~~ **local** assistance and households receiving food assistance.

(B) Recipients assisted by township staff in receiving food assistance from sources other than township funds.

(10) The total value of food assistance provided, including the value of food assistance provided through the efforts of township staff from sources other than township funds.

(11) The total number of each of the following:

(A) Recipients of ~~township~~ **local** assistance and households provided health care.

(B) Recipients assisted by township staff in receiving health care assistance from sources other than township funds.

(12) The total value of health care provided, including the value of health care assistance provided through the efforts of township staff from sources other than township funds.

(13) The total number of funerals, burials, and cremations.

(14) The total value of funerals, burials, and cremations, including the difference between the:

(A) actual value of the funerals, burials, and cremations; and

(B) amount paid by the township for the funerals, burials, and cremations.

(15) The total of each of the following:

(A) Number of nights of emergency shelter provided to the homeless.

(B) Number of nights of emergency shelter provided to homeless individuals through the efforts of township staff from sources other than township funds.

(C) Value of the nights of emergency shelter provided to homeless individuals by the township and the value of the nights of emergency shelter provided through the efforts of the township staff from sources other than township funds.

(16) The total of each of the following:

(A) Number of referrals of ~~township~~ **local** assistance applicants to other programs.

(B) Value of the services provided by the township in making referrals to other programs.

(17) The total number of training programs or job placements found for recipients of ~~township~~ **local** assistance with the assistance of the ~~township trustee.~~ **administrator.**

(18) The number of hours spent by recipients of ~~township~~ **local** assistance at workfare.

(19) The total value of the services provided by workfare to the township and other agencies.

(20) The total amount of reimbursement for assistance received from:

(A) recipients;

(B) members of recipients' households; or

(C) recipients' estates;

under IC 12-20-6-10, IC 12-20-27-1, or IC 12-20-27-1.5.

(21) The total amount of reimbursement for assistance received from medical programs under IC 12-20-16-2(e).

(22) The total of each of the following:

(A) Number of individuals assisted through a representative payee program.

(B) Amount of funds processed through the representative payee program that are not township funds.

(23) The total of each of the following:

(A) Number of individuals assisted through special nontraditional programs provided through the township without the expenditure of township funds.

(B) Amount of funds used to provide the special nontraditional programs that are not township funds.

(24) The total of each of the following:

(A) Number of hours an investigator of ~~township~~ **local** assistance spends providing case management services to a recipient of ~~township~~ **local** assistance or a member of a household receiving ~~township~~ **local** assistance.

(B) Value of the case management services provided.

(25) The total number of housing inspections performed by the township.

If the total number or value of any item required to be reported under this subsection is zero (0), the ~~township trustee~~ **administrator** shall include the notation "0" in the report where the total number or value is required to be reported.

~~(g)~~ **(h)** The state board of accounts shall compare and compile all data reported under subsection ~~(f)~~ **(g)** into a statewide statistical report. The department shall summarize the data compiled by the state board of accounts that relate to the fixing of township budgets, levies, and tax

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

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

(1) each annual report forwarded to the board under subsection ~~(f);~~ **(g);** and

(2) the statewide statistical report under subsection ~~(g);~~ **(h);**

to the department and the division of family resources.

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

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

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

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

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

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

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

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

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

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

(1) The total number of requests for assistance.

(2) The total number of each of the following:

(A) Recipients of local assistance.

(B) Households containing recipients of local assistance.

(C) Case contacts made with or on behalf of:

(i) recipients of local assistance; or

(ii) members of a household receiving local assistance.

(3) The total value of benefits provided to recipients of local assistance.

(4) The total value of benefits provided through the efforts of the county from sources other than county funds.

(5) The total number of each of the following:

(A) Recipients of local assistance and households receiving utility assistance.

(B) Recipients assisted by the staff of the administrator in receiving utility assistance from sources other than county funds.

(6) The total value of benefits provided for the payment of utilities, including the value of benefits of utility assistance provided through the efforts of the county from sources other than county funds.

(7) The total number of each of the following:

(A) Recipients of local assistance and households receiving housing assistance.

(B) Recipients assisted by the county in receiving housing assistance from sources other than county funds.

(8) The total value of benefits provided for housing assistance, including the value of benefits of housing assistance provided through the efforts of the county, from sources other than county funds.

(9) The total number of each of the following:

(A) Recipients of local assistance and households receiving food assistance.

(B) Recipients assisted by the county in receiving food

assistance from sources other than county funds.

(10) The total value of food assistance provided, including the value of food assistance provided through the efforts of the county from sources other than county funds.

(11) The total number of each of the following:

(A) Recipients of local assistance and households provided health care.

(B) Recipients assisted by the county in receiving health care assistance from sources other than county funds.

(12) The total value of health care provided, including the value of health care assistance provided through the efforts of the county from sources other than county funds.

(13) The total number of funerals, burials, and cremations.

(14) The total value of funerals, burials, and cremations, including the difference between the actual value of the funerals, burials, and cremations and the amount paid by the county for the funerals, burials, and cremations.

(15) The total of each of the following:

(A) The number of nights of emergency shelter provided to homeless individuals.

(B) The number of nights of emergency shelter provided to homeless individuals through the efforts of the county from sources other than county funds.

(C) The value of the nights of emergency shelter provided to homeless individuals by the county and the value of the nights of emergency shelter provided through the efforts of the county from sources other than county funds.

(16) The total of each of the following:

(A) The number of referrals of local assistance applicants to other programs.

(B) The value of the services provided by the county in making referrals to other programs.

(17) The total number of training programs or job placements found for recipients of local assistance with the assistance of the county trustee.

(18) The number of hours spent by recipients of local assistance at workfare.

(19) The total value of the services provided by workfare to the county and other agencies.

(20) The total amount of reimbursement for assistance received from:

(A) recipients;

(B) members of recipients' households; or

(C) recipients' estates;

under IC 12-20-6-10, IC 12-20-27-1, or IC 12-20-27-1.5.

(21) The total amount of reimbursement for assistance received from medical programs under IC 12-20-16-2(e).

(22) The total of each of the following:

(A) The number of individuals assisted through a representative payee program.

(B) The amount of funds processed through the representative payee program that are not county funds.

(23) The total of each of the following:

(A) The number of individuals assisted through special nontraditional programs provided through the township or the county without the expenditure of county funds.

(B) The amount of funds used to provide the special nontraditional programs that are not county funds.

(24) The total of each of the following:

(A) The number of hours an investigator of local assistance spends providing case management services to a recipient of local assistance or a member of a household receiving local assistance.

(B) The value of the case management services provided.

(25) The total number of housing inspections performed by the county.

If the total number or value of any item required to be reported under this subsection is zero (0), the board shall include the notation "0" in the report where the total number or value is required to be reported.

(d) The state board of accounts shall compare and compile all data reported under subsection (c) into a statewide statistical report. The department shall summarize the data compiled by the state board of accounts that relates to the fixing of county budgets, levies, and tax rates and shall include the department's summary within the statewide statistical report prepared under this subsection. Before July 1 of each year, the state board of accounts shall file the statewide statistical report prepared under this subsection with the executive director of the legislative services agency in an electronic format under IC 5-14-6.

(e) The state board of accounts shall forward a copy of:

(1) each annual report forwarded to the board under subsection (c); and

(2) the statewide statistical report under subsection (d);

to the department and the division of family resources.

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

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

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

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

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

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

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

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

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

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

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

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

(1) with the consent of the superintendent; or

(2) upon an order that is issued by the ~~township trustee as the~~ administrator ~~of township assistance~~ and endorsed by the chairman of the board of commissioners.

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

(1) shall receive and support in the county home indigent individuals who:

(A) are lawfully settled in the county; and

(B) placed in the county home by the ~~township trustee as the~~ administrator ~~of township assistance,~~ with the consent of the board of commissioners of the county; or

(2) may contract with other counties or with other charitable institutions located in Indiana for the relief and support of indigent individuals maintained as a public charge of the county, and may levy taxes for that purpose.

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

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

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

(1) The name of the individual.

(2) The birth place and date of birth of the individual.

(3) The length of time that the individual has been legally settled in the township **or (after December 31, 2018) the county, in the case of a county not having a consolidated city.**

(4) A statement of the health of the individual, which must be certified to by a competent physician.

(5) A statement of the income, property, or property rights of the individual.

(6) A list of the individual's relatives who, in the opinion of the ~~township trustee as the~~ administrator, ~~of township assistance,~~ are capable of making contributions for the support of the individual.

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

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

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

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

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

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

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

(1) county council shall appropriate; and

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

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

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

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

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

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

each year for the preceding year.

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

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

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

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

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

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

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

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

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

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

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

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

the unexpired term in the same manner as initial appointments.

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

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

(1) real estate; or

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

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

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

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

(2) personally by the sheriff.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 172. IC 16-24-1-21, AS AMENDED BY P.L.73-2005, SECTION 165, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 21. (a) Whenever a patient is admitted to the hospital from the county in which the hospital is located, the superintendent shall inquire:

(1) as to the patient's circumstances; and

(2) of the relatives of the patient legally liable for the patient's support.

(b) If the patient or the patient's relatives are able to pay for the patient's care and treatment in whole or in part, the patient or the patient's relatives shall be directed to pay the treasurer of the hospital for the patient's support in proportion to the patient's or relatives' financial ability, but not to exceed the actual per capita cost of maintenance.

(c) The superintendent has the same authority to collect the sum from the estate of the patient or the patient's relatives legally liable for the patient's support as is possessed by the ~~township trustee as~~ administrator of ~~township~~ **local** assistance **(as defined in IC 12-7-2-1.5(3))** in similar circumstances. If the superintendent finds that the patient or the patient's relatives are not able to pay either in whole or in part the patient becomes a charge upon the county.

SECTION 173. IC 16-24-1-23, AS AMENDED BY P.L.73-2005, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) Whenever a superintendent receives an application for the admission of a patient with tuberculosis

from the county executive of any other county, the superintendent shall notify the person to appear at the hospital if there is:

(1) a vacancy; and

(2) no pending application from a resident of the county in which the hospital is located.

(b) If the superintendent is satisfied that the patient has tuberculosis, the superintendent shall admit the patient to the hospital. The patient is a charge against the county executive of the county sending the patient, at a rate to be fixed by the board of managers. The rate may not exceed the per capita cost of maintenance, including a reasonable allowance for interest on the costs of the hospital. The bill shall, when verified, be audited and paid by the auditor of that county.

(c) The county executive shall investigate the circumstances of the patient and of the patient's relatives legally liable for the patient's support, and has the same authority as the ~~township trustee as~~ administrator of ~~township~~ **local** assistance **(as defined in IC 12-7-2-1.5(3))** to collect the cost of the patient's maintenance according to the patient's relatives' financial ability.

SECTION 174. IC 16-24-2-10, AS AMENDED BY P.L.73-2005, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. Whenever a patient is admitted to the hospital from the county in which the hospital is situated, the superintendent shall inquire into the circumstances of the patient and of the relatives of the patient legally liable for the patient's support. If the superintendent finds that the patient or the patient's relatives are able to pay for care and treatment, in whole or in part, the superintendent shall direct the patient or the patient's relatives to pay to the treasurer of the hospital a specified amount each week, in proportion to the patient's or the patient's relatives' financial ability. The hospital has the same authority to collect from the estate of the patient, or the patient's relatives legally liable for the patient's support, as the ~~township trustee as~~ administrator **(as defined in IC 12-7-2-1.5(3))** of ~~township~~ **local** assistance in similar cases. If the patient or the patient's relatives are not able to pay, either in whole or in part, the care and treatment become a charge upon the county.

SECTION 175. IC 16-24-2-13, AS AMENDED BY P.L.73-2005, SECTION 168, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) Whenever the superintendent receives an application for the admission of a patient from another county, the superintendent shall notify the person to appear at the hospital if the following conditions are met:

(1) It appears that the person has tuberculosis, or a similar

disease.

(2) There is a vacancy in the hospital.

(3) There is no pending application from a patient residing in the county in which the hospital is located.

(b) If, upon personal examination of the patient by the medical staff of the hospital, the superintendent determines that the patient has tuberculosis, the superintendent shall admit the patient to the hospital. The patient is a charge against the executive of the county sending the patient, at a rate to be fixed by the board of managers but not to exceed the per capita cost of maintenance, including a reasonable allowance for interest on the cost of the hospital. The bill shall, when verified, be paid by the auditor of the county. The county executive of the contracting county shall investigate the circumstances of the patient and of the patient's relatives legally liable for the patient's support. The county executive has the same authority as ~~a township trustee as~~ **an** administrator **(as defined in IC 12-7-2-1.5(3))** of ~~township~~ **local** assistance in similar cases to collect, according to the patient's or the patient's relatives' financial ability, the cost of the maintenance.

SECTION 176. IC 16-41-19-7, AS AMENDED BY P.L.73-2005, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Except as provided in subsection (b), all costs that are incurred in furnishing biologicals under this chapter, IC 12-20-16-2(c)(13), or IC 12-20-16-14 shall be paid: ~~by:~~

(1) **by** the appropriate county, city, or town against which the application form is issued from general funds; ~~and~~

(2) **by** the appropriate township against which the application form is issued from funds in the ~~township~~ **local** assistance fund; **and**

(3) after December 31, 2018, in the case of a county not having a consolidated city, from funds in the county's local assistance fund;

not otherwise appropriated without appropriations.

(b) A:

(1) township; **or**

(2) (after December 31, 2018) county not having a consolidated city;

is not responsible for paying for biologicals as provided in subsection (a)(2) **or (a)(3)** if the township ~~trustee~~ **administrator or (after December 31, 2018) county** has evidence that the individual has the financial ability to pay for the biologicals.

(c) After being presented with a legal claim for insulin being

furnished to the same individual a second time, a township ~~trustee~~ **administrator or (after December 31, 2018) the administrator (as defined in IC 12-7-2-1.5(3)) of local assistance for the county, in the case of a county not having a consolidated city,** may require the individual to complete and file a standard application for ~~township~~ **local** assistance in order to investigate the financial condition of the individual claiming to be indigent. The trustee **or (after December 31, 2018) the administrator of local assistance for the county, in the case of a county not having a consolidated city,** shall immediately notify the individual's physician that:

(1) the financial ability of the individual claiming to be indigent is in question; and

(2) a standard application for ~~township~~ **local** assistance must be filed with the township **or (after December 31, 2018), in the case of a county that does not have a consolidated city, the county.**

The township **or (after December 31, 2018, in the case of a county that does not have a consolidated city, the county** shall continue to furnish insulin under this section until the township trustee **or the county** completes an investigation and makes a determination as to the individual's financial ability to pay for insulin.

(d) For purposes of this section, the township **or (after December 31, 2018), in the case of a county that does not have a consolidated city, the county** shall consider an adult individual needing insulin as an individual and not as a member of a household requesting ~~township~~ **local** assistance.

SECTION 177. IC 16-41-21-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. A person who recklessly transfers to ~~a township trustee~~ **an administrator (as defined in IC 12-7-2-1.5(3))** or board of school commissioners for use in a school any materials, supplies, sanitary apparatus, or systems that do not comply with this chapter commits a Class B misdemeanor.

SECTION 178. IC 16-46-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. This chapter does not amend, supersede, or repeal any other statute vesting authority in any ~~township trustee,~~ **administrator (as defined in IC 12-7-2-1.5(3)),** school board, board of school trustees, or board of school commissioners.

SECTION 179. IC 20-33-5-12, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. Under extraordinary circumstances, the ~~township trustee~~ **administrator (as defined in IC 12-7-2-1.5(3))** may

pay for the fees enumerated in section 3 of this chapter for individuals who do not otherwise qualify under the financial eligibility standard established in this chapter. Assistance in such cases may be provided by the ~~township trustee~~ **administrator (as defined in IC 12-7-2-1.5(3))** under IC 12-20.

SECTION 180. IC 20-33-5-13, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) Financial assistance for shoes and clothing shall be provided directly by the ~~township trustee~~ **administrator (as defined in IC 12-7-2-1.5(3))** under IC 12-20 to parents who do not have sufficient means to furnish the shoes and clothing needed by the children to attend school.

(b) A school corporation may establish a clothing bank to provide for children's clothing needs on an emergency basis.

SECTION 181. IC 23-14-31-26, AS AMENDED BY P.L.6-2012, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) Except as provided in subsection (c), the following persons, in the priority listed, have the right to serve as an authorizing agent:

(1) A person:

(A) granted the authority to serve in a funeral planning declaration executed by the decedent under IC 29-2-19; or

(B) named in a United States Department of Defense form "Record of Emergency Data" (DD Form 93) or a successor form adopted by the United States Department of Defense, if the decedent died while serving in any branch of the United States Armed Forces (as defined in 10 U.S.C. 1481) and completed the form.

(2) An individual specifically granted the authority to serve in a power of attorney or a health care power of attorney executed by the decedent under IC 30-5-5-16.

(3) The individual who was the spouse of the decedent at the time of the decedent's death, except when:

(A) a petition to dissolve the marriage or for legal separation of the decedent and spouse is pending with a court at the time of the decedent's death, unless a court finds that the decedent and spouse were reconciled before the decedent's death; or

(B) a court determines the decedent and spouse were physically and emotionally separated at the time of death and the separation was for an extended time that clearly demonstrates an absence of due affection, trust, and regard for the decedent.

(4) The decedent's surviving adult child or, if more than one (1) adult child is surviving, the majority of the adult children. However, less than half of the surviving adult children have the rights under this subdivision if the adult children have used reasonable efforts to notify the other surviving adult children of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving adult children.

(5) The decedent's surviving parent or parents. If one (1) of the parents is absent, the parent who is present has authority under this subdivision if the parent who is present has used reasonable efforts to notify the absent parent.

(6) The decedent's surviving sibling or, if more than one (1) sibling is surviving, the majority of the surviving siblings. However, less than half of the surviving siblings have the rights under this subdivision if the siblings have used reasonable efforts to notify the other surviving siblings of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving siblings.

(7) The individual in the next degree of kinship under IC 29-1-2-1 to inherit the estate of the decedent or, if more than one (1) individual of the same degree is surviving, the majority of those who are of the same degree. However, less than half of the individuals who are of the same degree of kinship have the rights under this subdivision if they have used reasonable efforts to notify the other individuals who are of the same degree of kinship of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the individuals who are of the same degree of kinship.

(8) If none of the persons described in subdivisions (1) through (7) are available, any other person willing to act and arrange for the final disposition of the decedent's remains, including a funeral home that:

(A) has a valid prepaid funeral plan executed under IC 30-2-13 that makes arrangements for the disposition of the decedent's remains; and

(B) attests in writing that a good faith effort has been made to contact any living individuals described in subdivisions (1) through (7).

(9) In the case of an indigent or other individual whose final disposition is the responsibility of the state or township **or (after December 31, 2018) county, in the case of a county not having**

a consolidated city, the following may serve as the authorizing agent:

(A) If none of the persons identified in subdivisions (1) through (8) are available:

(i) a public administrator, including ~~a responsible township trustee or the trustee's designee~~ **an administrator of local assistance under IC 12-20-1-2.5;** or

(ii) the coroner.

(B) A state appointed guardian.

However, an indigent decedent may not be cremated if a surviving family member objects to the cremation or if cremation would be contrary to the religious practices of the deceased individual as expressed by the individual or the individual's family.

(10) In the absence of any person under subdivisions (1) through (9), any person willing to assume the responsibility as the authorizing agent, as specified in this article.

(b) When a body part of a nondeceased individual is to be cremated, a representative of the institution that has arranged with the crematory authority to cremate the body part may serve as the authorizing agent.

(c) If:

(1) the death of the decedent appears to have been the result of:

(A) murder (IC 35-42-1-1);

(B) voluntary manslaughter (IC 35-42-1-3); or

(C) another criminal act, if the death does not result from the operation of a vehicle; and

(2) the coroner, in consultation with the law enforcement agency investigating the death of the decedent, determines that there is a reasonable suspicion that a person described in subsection (a) committed the offense;

the person referred to in subdivision (2) may not serve as the authorizing agent.

(d) The coroner, in consultation with the law enforcement agency investigating the death of the decedent, shall inform the crematory authority of the determination referred to in subsection (c)(2).

(e) If a person vested with a right under subsection (a) does not exercise that right not later than seventy-two (72) hours after the person receives notification of the death of the decedent, the person forfeits the person's right to determine the final disposition of the decedent's remains, and the right to determine final disposition passes to the next person described in subsection (a).

(f) A crematory authority owner has the right to rely, in good faith,

on the representations of a person listed in subsection (a) that any other individuals of the same degree of kinship have been notified of the final disposition instructions.

(g) If there is a dispute concerning the disposition of a decedent's remains, a crematory authority is not liable for refusing to accept the remains of the decedent until the crematory authority receives:

(1) a court order; or

(2) a written agreement signed by the disputing parties;

that determines the final disposition of the decedent's remains. If a crematory authority agrees to shelter the remains of the decedent while the parties are in dispute, the crematory authority may collect any applicable fees for storing the remains, including legal fees that are incurred.

(h) Any cause of action filed under this section must be filed in the probate court in the county where the decedent resided, unless the decedent was not a resident of Indiana.

(i) A spouse seeking a judicial determination under subsection (a)(3)(A) that the decedent and spouse were reconciled before the decedent's death may petition the court having jurisdiction over the dissolution or separation proceeding to make this determination by filing the petition under the same cause number as the dissolution or separation proceeding. A spouse who files a petition under this subsection is not required to pay a filing fee.

SECTION 182. IC 23-14-33-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 3.5. (a) After December 31, 2018, in a county that does not have a consolidated city, the powers and duties established by this chapter through IC 23-14-76 are conferred and imposed on the county executive or county executive's designee with respect to property in the county.**

(b) After December 31, 2018, any reference in this chapter through IC 23-14-76 to "township board" is considered a reference to the county fiscal body.

(c) After December 31, 2018, any reference in this chapter through IC 23-14-76 to a:

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

(2) "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter.

SECTION 183. IC 25-15-9-18, AS AMENDED BY P.L.6-2012, SECTION 176, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2015]: Sec. 18. (a) Except as provided in subsection (b), the following persons, in the order of priority indicated, have the authority to designate the manner, type, and selection of the final disposition of human remains, to make arrangements for funeral services, and to make other ceremonial arrangements after an individual's death:

(1) A person:

(A) granted the authority to serve in a funeral planning declaration executed by the decedent under IC 29-2-19; or

(B) named in a United States Department of Defense form "Record of Emergency Data" (DD Form 93) or a successor form adopted by the United States Department of Defense, if the decedent died while serving in any branch of the United States Armed Forces (as defined in 10 U.S.C. 1481) and completed the form.

(2) An individual specifically granted the authority in a power of attorney or a health care power of attorney executed by the decedent under IC 30-5-5-16.

(3) The individual who was the spouse of the decedent at the time of the decedent's death, except when:

(A) a petition to dissolve the marriage or for legal separation of the decedent and spouse is pending with a court at the time of the decedent's death, unless a court finds that the decedent and spouse were reconciled before the decedent's death; or

(B) a court determines the decedent and spouse were physically and emotionally separated at the time of death and the separation was for an extended time that clearly demonstrates an absence of due affection, trust, and regard for the decedent.

(4) The decedent's surviving adult child or, if more than one (1) adult child is surviving, the majority of the adult children. However, less than half of the surviving adult children have the rights under this subdivision if the adult children have used reasonable efforts to notify the other surviving adult children of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving adult children.

(5) The decedent's surviving parent or parents. If one (1) of the parents is absent, the parent who is present has the rights under this subdivision if the parent who is present has used reasonable efforts to notify the absent parent.

(6) The decedent's surviving sibling or, if more than one (1)

sibling is surviving, the majority of the surviving siblings. However, less than half of the surviving siblings have the rights under this subdivision if the siblings have used reasonable efforts to notify the other surviving siblings of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving siblings.

(7) The individual in the next degree of kinship under IC 29-1-2-1 to inherit the estate of the decedent or, if more than one (1) individual of the same degree survives, the majority of those who are of the same degree of kinship. However, less than half of the individuals who are of the same degree of kinship have the rights under this subdivision if they have used reasonable efforts to notify the other individuals who are of the same degree of kinship of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the individuals who are of the same degree of kinship.

(8) If none of the persons identified in subdivisions (1) through (7) are available, any other person willing to act and arrange for the final disposition of the decedent's remains, including a funeral home that:

(A) has a valid prepaid funeral plan executed under IC 30-2-13 that makes arrangements for the disposition of the decedent's remains; and

(B) attests in writing that a good faith effort has been made to contact any living individuals described in subdivisions (1) through (7).

(9) In the case of an indigent or other individual whose final disposition is the responsibility of the state or township, the following:

(A) If none of the persons identified in subdivisions (1) through (8) is available:

(i) a public administrator, including ~~a responsible township trustee or the trustee's designee;~~ **the administrator of local assistance (as defined in IC 12-20-7-1.5(3));** or

(ii) the coroner.

(B) A state appointed guardian.

(b) If:

(1) the death of the decedent appears to have been the result of:

(A) murder (IC 35-42-1-1);

(B) voluntary manslaughter (IC 35-42-1-3); or

(C) another criminal act, if the death does not result from the operation of a vehicle; and

(2) the coroner, in consultation with the law enforcement agency investigating the death of the decedent, determines that there is a reasonable suspicion that a person described in subsection (a) committed the offense;

the person referred to in subdivision (2) may not authorize or designate the manner, type, or selection of the final disposition of human remains.

(c) The coroner, in consultation with the law enforcement agency investigating the death of the decedent, shall inform the cemetery owner or crematory authority of the determination under subsection (b)(2).

(d) If the decedent had filed a protection order against a person described in subsection (a) and the protection order is currently in effect, the person described in subsection (a) may not authorize or designate the manner, type, or selection of the final disposition of human remains.

(e) A law enforcement agency shall determine if the protection order is in effect. If the law enforcement agency cannot determine the existence of a protection order that is in effect, the law enforcement agency shall consult the protective order registry established under IC 5-2-9-5.5.

(f) If a person vested with a right under subsection (a) does not exercise that right not later than seventy-two (72) hours after the person receives notification of the death of the decedent, the person forfeits the person's right to determine the final disposition of the decedent's remains and the right to determine final disposition passes to the next person described in subsection (a).

(g) A funeral home has the right to rely, in good faith, on the representations of a person listed in subsection (a) that any other individuals of the same degree of kinship have been notified of the final disposition instructions.

(h) If there is a dispute concerning the disposition of a decedent's remains, a funeral home is not liable for refusing to accept the remains of the decedent until the funeral home receives:

(1) a court order; or

(2) a written agreement signed by the disputing parties;

that determines the final disposition of the decedent's remains. If a funeral home agrees to shelter the remains of the decedent while the parties are in dispute, the funeral home may collect any applicable fees for storing the remains, including legal fees that are incurred.

(i) Any cause of action filed under this section must be filed in the probate court in the county where the decedent resided, unless the

decedent was not a resident of Indiana.

(j) A spouse seeking a judicial determination under subsection (a)(3)(A) that the decedent and spouse were reconciled before the decedent's death may petition the court having jurisdiction over the dissolution or separation proceeding to make this determination by filing the petition under the same cause number as the dissolution or separation proceeding. A spouse who files a petition under this subsection is not required to pay a filing fee.

SECTION 184. IC 31-9-2-99.7, AS AMENDED BY P.L.128-2012, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 99.7. "Public welfare", for purposes of IC 31-25-3 and IC 31-25-4, means any form of public welfare or Social Security provided in IC 31-25-3 or IC 31-25-4. The term does not include direct ~~township~~ **local** assistance as administered by ~~township trustees~~ **administrators (as defined in IC 12-7-2-1.5(3))** under IC 12-20.

SECTION 185. IC 32-26-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The trustee of each township, the county highway superintendent, the Indiana department of transportation, or other officer in control of the maintenance of a highway shall between January 1 and April 1 of each year, examine all hedges, live fences, natural growths along highways, and other obstructions described in section 1 of this chapter in their respective jurisdictions. **However, after December 31, 2018, in the case of a county that does not have a consolidated city, the duties and obligations of a township trustee under this chapter are transferred to the county executive or the county executive's designee.** If there are hedges, live fences, other growths, or obstructions along the highways that have not been cut, trimmed down, and maintained in accordance with this chapter, the owner shall be given written notice to cut or trim the hedge or live fence and to burn the brush trimmed from the hedge or live fence and remove any other obstructions or growths.

(b) The notice required under subsection (a) must be served by reading the notice to the owner or by leaving a copy of the notice at the owner's usual place of residence.

(c) If the owner is not a resident of the township, county, or state where the hedge, live fence, or other obstructions or growth is located, the notice shall be served upon the owner's agent or tenant residing in the township. If an agent or a tenant of the owner does not reside in the township, the notice shall be served by mailing a copy of the notice to the owner, directed to the owner's last known post office address.

(d) If the owner, agents, or tenants do not proceed to cut and trim

the fences and burn the brush trimmed from the fences or remove any obstructions or growths within ten (10) days after notice is served, the township trustee, county highway superintendent, or Indiana department of transportation shall immediately:

(1) cause the fences to be cut and trimmed or obstructions or growths removed in accordance with this chapter; and

(2) burn the brush trimmed from the fences.

All expenses incurred under this subsection shall be assessed against and become a lien upon the land in the same manner as road taxes.

(e) The township trustee, county highway superintendent, or Indiana department of transportation, having charge of the work performed under subsection (d) shall prepare an itemized statement of the total cost of the work of removing the obstructions or growths and shall sign and certify the statement to the county auditor of the county in which the land is located. The county auditor shall place the statement on the tax duplicates. The county treasurer shall collect the costs entered on the duplicates at the same time and in the same manner as road taxes are collected. The treasurer may not issue a receipt for road taxes unless the costs entered on the duplicates are paid in full at the same time the road taxes are paid. If the costs are not paid when due, the costs shall become delinquent, bear the same interest, be subject to the same penalties, and be collected at the same time and in the same manner as other unpaid and delinquent taxes.

SECTION 186. IC 32-26-5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. (a) This section applies after December 31, 2018. This section applies only to a county not having a consolidated city.**

(b) After December 31, 2018, the powers and duties of the township trustee established by this chapter are conferred and imposed on the county executive or the county executive's designee with respect to property in the county.

(c) After December 31, 2018, any reference in this chapter to:

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

(2) "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter.

SECTION 187. IC 32-26-9-0.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.6. (a) This section applies after December 31, 2018. This section applies only to a county not having**

a consolidated city.

(b) After December 31, 2018, the powers and duties established by this chapter are conferred and imposed on the county executive or the county executive's designee with respect to property in the county.

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

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

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

(2) "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter.

SECTION 188. IC 34-30-2-140 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 140. IC 32-26-9-5 (Concerning township trustee **or, after December 31, 2018, the county executive or county executive's designee in the case of a county not having a consolidated city,** for contracts to repair fences).

SECTION 189. IC 35-43-5-1, AS AMENDED BY P.L.137-2009, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) The definitions set forth in this section apply throughout this chapter.

(b) "Claim statement" means an insurance policy, a document, or a statement made in support of or in opposition to a claim for payment or other benefit under an insurance policy, or other evidence of expense, injury, or loss. The term includes statements made orally, in writing, or electronically, including the following:

(1) An account.
(2) A bill for services.
(3) A bill of lading.
(4) A claim.
(5) A diagnosis.
(6) An estimate of property damages.
(7) A hospital record.
(8) An invoice.
(9) A notice.
(10) A proof of loss.
(11) A receipt for payment.
(12) A physician's records.
(13) A prescription.
(14) A statement.

(15) A test result.
(16) X-rays.

(c) "Coin machine" means a coin box, vending machine, or other mechanical or electronic device or receptacle designed:
(1) to receive a coin, bill, or token made for that purpose; and
(2) in return for the insertion or deposit of a coin, bill, or token automatically:
(A) to offer, provide, or assist in providing; or
(B) to permit the acquisition of;
some property.

(d) "Credit card" means an instrument or device (whether known as a credit card or charge plate, or by any other name) issued by an issuer for use by or on behalf of the credit card holder in obtaining property.

(e) "Credit card holder" means the person to whom or for whose benefit the credit card is issued by an issuer.

(f) "Customer" means a person who receives or has contracted for a utility service.

(g) "Drug or alcohol screening test" means a test that:
(1) is used to determine the presence or use of alcohol, a controlled substance, or a drug in a person's bodily substance; and
(2) is administered in the course of monitoring a person who is:
(A) incarcerated in a prison or jail;
(B) placed in a community corrections program;
(C) on probation or parole;
(D) participating in a court ordered alcohol or drug treatment program; or
(E) on court ordered pretrial release.

(h) "Entrusted" means held in a fiduciary capacity or placed in charge of a person engaged in the business of transporting, storing, lending on, or otherwise holding property of others.

(i) "Identifying information" means information that identifies a person, including a person's:
(1) name, address, date of birth, place of employment, employer identification number, mother's maiden name, Social Security number, or any identification number issued by a governmental entity;
(2) unique biometric data, including the person's fingerprint, voice print, or retina or iris image;
(3) unique electronic identification number, address, or routing code;
(4) telecommunication identifying information; or
(5) telecommunication access device, including a card, a plate, a

code, a telephone number, an account number, a personal identification number, an electronic serial number, a mobile identification number, or another telecommunications service or device or means of account access that may be used to:

(A) obtain money, goods, services, or any other thing of value; or

(B) initiate a transfer of funds.

(j) "Insurance policy" includes the following:

(1) An insurance policy.

(2) A contract with a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-1-27).

(3) A written agreement entered into under IC 27-1-25.

(k) "Insurer" has the meaning set forth in IC 27-1-2-3(x). The term also includes the following:

(1) A reinsurer.

(2) A purported insurer or reinsurer.

(3) A broker.

(4) An agent of an insurer, a reinsurer, a purported insurer or reinsurer, or a broker.

(5) A health maintenance organization.

(6) A limited service health maintenance organization.

(l) "Manufacturer" means a person who manufactures a recording. The term does not include a person who manufactures a medium upon which sounds or visual images can be recorded or stored.

(m) "Make" means to draw, prepare, complete, counterfeit, copy or otherwise reproduce, or alter any written instrument in whole or in part.

(n) "Metering device" means a mechanism or system used by a utility to measure or record the quantity of services received by a customer.

(o) "Public relief or assistance" means any payment made, service rendered, hospitalization provided, or other benefit extended to a person by a governmental entity from public funds and includes ~~township~~ **local** assistance, food stamps, direct relief, unemployment compensation, and any other form of support or aid.

(p) "Recording" means a tangible medium upon which sounds or visual images are recorded or stored. The term includes the following:

(1) An original:

(A) phonograph record;

(B) compact disc;

(C) wire;

(D) tape;

(E) audio cassette;
(F) video cassette; or
(G) film.

(2) Any other medium on which sounds or visual images are or can be recorded or otherwise stored.

(3) A copy or reproduction of an item in subdivision (1) or (2) that duplicates an original recording in whole or in part.

(q) "Slug" means an article or object that is capable of being deposited in a coin machine as an improper substitute for a genuine coin, bill, or token.

(r) "Synthetic identifying information" means identifying information that identifies:

(1) a false or fictitious person;

(2) a person other than the person who is using the information; or

(3) a combination of persons described under subdivisions (1) and (2).

(s) "Utility" means a person who owns or operates, for public use, any plant, equipment, property, franchise, or license for the production, storage, transmission, sale, or delivery of electricity, water, steam, telecommunications, information, or gas.

(t) "Written instrument" means a paper, a document, or other instrument containing written matter and includes money, coins, tokens, stamps, seals, credit cards, badges, trademarks, medals, retail sales receipts, labels or markings (including a universal product code (UPC) or another product identification code), or other objects or symbols of value, right, privilege, or identification.

SECTION 190. IC 35-52-12-9.5, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9.5. IC 12-20-1-4 defines a crime concerning ~~township~~ **local** assistance.

SECTION 191. IC 35-52-12-10, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. IC 12-20-7-6 defines a crime concerning ~~township~~ **local** assistance.

SECTION 192. IC 35-52-12-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 11. IC 12-20-25-55 defines a crime concerning township assistance.~~

SECTION 193. IC 36-1-1.5-2, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. As used in this chapter, "eligible municipality" means a municipality that:

(1) includes any territory located in a township for which the ~~township~~ **local** assistance property tax rate for property taxes first due and payable in 2015 or in any year thereafter is more than:

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

(B) twelve (12); and

(2) is adjacent to one (1) or more townships other than the township described in subdivision (1).

SECTION 194. IC 36-1-1.5-3, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. As used in this chapter, ~~"township~~ **"local** assistance property tax rate" has the meaning set forth in IC 6-1.1-20.3-6.7(a).

SECTION 195. IC 36-1-8-5, AS AMENDED BY P.L.1-2007, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to all funds raised by a general or special tax levy on all the taxable property of a political subdivision.

(b) Whenever the purposes of a tax levy have been fulfilled and an unused and unencumbered balance remains in the fund, the fiscal body of the political subdivision shall order the balance of that fund to be transferred as follows, unless a statute provides that it be transferred otherwise:

(1) **Except as provided in subdivision (2), the** funds of a county **shall be transferred** to the general fund or rainy day fund of the county, as provided in section 5.1 of this chapter.

(2) This subdivision applies after December 31, 2018. This subdivision applies only to a county not having a consolidated city. The funds of a county for redemption of local assistance obligations shall be transferred to the local assistance fund of the county or rainy day fund of the county, as provided in section 5.1 of this chapter.

~~(2)~~ **(3) The** funds of a municipality **shall be transferred** to the general fund or rainy day fund of the municipality, as provided in section 5.1 of this chapter.

~~(3)~~ **(4) After December 31, 2018, this subdivision applies only to a county having a consolidated city. The** funds of a township for redemption of ~~township~~ **local** assistance obligations **shall be transferred** to the ~~township~~ **local** assistance fund of the township or rainy day fund of the township, as provided in section 5.1 of

this chapter.

~~(4)~~ **(5) The** funds of any other political subdivision **shall be transferred** to the general fund or rainy day fund of the political subdivision, as provided in section 5.1 of this chapter. However, if the political subdivision is dissolved or does not have a general fund or rainy day fund, then to the general fund of each of the units located in the political subdivision in the same proportion that the assessed valuation of the unit bears to the total assessed valuation of the political subdivision.

(c) Whenever an unused and unencumbered balance remains in the civil township fund of a township and a current tax levy for the fund is not needed, the township fiscal body may order any part of the balance of that fund transferred to the debt service fund of the school corporation located in or partly in the township. However, if more than one (1) school corporation is located in or partly in the township, then any sum transferred shall be transferred to the debt service fund of each of those school corporations in the same proportion that the part of the assessed valuation of the school corporation in the township bears to the total assessed valuation of the township.

(d) If there is:

(1) an unexpended balance in the debt service fund of any school township; and

(2) no outstanding bonded or other indebtedness of the school township to the payment of which the unexpended balance or any part of the unexpended balance can be legally applied;

the township trustee of the township, with the approval of the township board, may transfer the unexpended balance in the debt service fund to the school general fund of the school township.

(e) Whenever any township has collected any fund for the special or specific purpose of erecting or constructing a school building and the township trustee of the township decides to abandon the proposed work of erecting or constructing the school building, the township trustee of the township shall transfer the fund collected for the special or specific purpose to the township fund of the township, upon the order of the township board to make the transfer. It is lawful thereafter to use the funds for any purpose for which the township funds of the township may be used.

(f) Transfers to a political subdivision's rainy day fund may be made at any time during the political subdivision's fiscal year.

SECTION 196. IC 36-1.5-4-40.5, AS ADDED BY P.L.255-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 40.5. The following apply in the case of a

reorganization under this article that includes a township and another political subdivision:

(1) If the township borrowed money from a township fund under IC 36-6-6-14(c) to pay the operating expenses of the township fire department or a volunteer fire department before the reorganization:

(A) the reorganized political subdivision is not required to repay the entire loan during the following year; and

(B) the reorganized political subdivision may repay the loan in installments during the following five (5) years.

(2) Except as provided in subdivision (3):

(A) the reorganized political subdivision continues to be responsible after the reorganization for providing township services in all areas of the township, including within the territory of a municipality in the township that does not participate in the reorganization; and

(B) the reorganized political subdivision retains the powers of a township after the reorganization in order to provide township services as required by clause (A).

(3) Powers and duties of the reorganized political subdivision 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.

(4) If all or part of a municipality in the township is not participating in the reorganization, not less than ten (10) township taxpayers who reside within territory that is not participating in the reorganization may file a petition with the county auditor protesting the reorganized political subdivision's ~~township~~ **local** assistance levy. The petition must be filed not more than thirty (30) days after the reorganized political subdivision finally adopts the reorganized political subdivision's ~~township~~ **local** assistance levy. The petition must state the taxpayers' objections and the reasons why the taxpayers believe the reorganized political subdivision's ~~township~~ **local** assistance levy is excessive or unnecessary. The county auditor shall immediately certify a copy of the petition, together with other data necessary to present the questions involved, to the department of local government finance. Upon receipt of the certified petition and other data, the department of local government finance shall fix a time and place for the hearing of the matter. The hearing shall be held not less than five (5) days and not more than thirty (30) days after the receipt of the certified documents. The hearing shall be held in

the county where the petition arose. Notice of the hearing shall be given by the department of local government finance to the reorganized political subdivision and to the first ten (10) taxpayer petitioners listed on the petition by letter. The letter shall be sent to the first ten (10) taxpayer petitioners at the taxpayers' usual place of residence at least five (5) days before the date of the hearing. After the hearing, the department of local government finance may reduce the reorganized political subdivision's ~~township~~ **local** assistance levy to the extent that the levy is excessive or unnecessary. A taxpayer who signed a petition under this subdivision or a reorganized political subdivision against which a petition under this subdivision is filed may petition for judicial review of the final determination of the department of local government finance under this subdivision. The petition must be filed in the tax court not more than forty-five (45) days after the date of the department of local government finance's final determination.

(5) Section 40 of this chapter applies to the debt service levy of the reorganized political subdivision and to the department of local government finance's determination of the new maximum permissible ad valorem property tax levy for the reorganized political subdivision.

(6) The reorganized political subdivision may not borrow money under IC 36-6-6-14(b) or IC 36-6-6-14(c).

(7) The new maximum permissible ad valorem property tax levy for the reorganized political subdivision's firefighting fund under IC 36-8-13-4 is equal to:

(A) the result of:

(i) the maximum permissible ad valorem property tax levy for the township's firefighting fund under IC 36-8-13-4 in the year preceding the year in which the reorganization is effective; multiplied by

(ii) the assessed value growth quotient applicable for property taxes first due and payable in the year in which the reorganization is effective; plus

(B) any amounts borrowed by the township under IC 36-6-6-14(b) or IC 36-6-6-14(c) in the year preceding the year in which the reorganization is effective.

SECTION 197. IC 36-2-6-4.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 4.6. (a) This section applies after December 31, 2018. This section applies only to a county that does**

not have a consolidated city.

(b) Notwithstanding IC 5-11-10, the county auditor may make payments for claims payable from the county local assistance fund under IC 12-20-21-6 in advance of allowance by the county executive. Each payment of expenses under this section must be supported by a fully itemized invoice or bill and certification by the county auditor. The county executive shall review and allow the claim at its next regular or special meeting following the preapproved payment of the expense.

SECTION 198. IC 36-2-9-14, AS AMENDED BY P.L.73-2005, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. (a) This section does not apply to funds received from the state or the federal government for ~~township~~ **local** assistance, unemployment relief, or old age pensions or other funds that are available under the federal Social Security Act or a federal statute providing for civil and public works projects.

(b) Except for monies that by statute are due and payable from a county treasury to the state or to a township or municipality of the county, money may be paid from a county treasury only upon a warrant drawn by the auditor.

(c) A warrant may be drawn on a county treasury only if the county fiscal body has made an appropriation for the money for the calendar year in which the warrant is drawn and that appropriation has not been exhausted.

(d) Notwithstanding subsection (c), appropriations by a county fiscal body are not necessary to authorize the drawing of a warrant on and payment from a county treasury for:

(1) money that belongs to the state and is required by statute to be paid into the state treasury;

(2) money that belongs to a school fund, whether principal or interest;

(3) money that belongs to a township or municipality of the county and is required by statute to be paid to the township or municipality;

(4) money that:

(A) is due a person;

(B) has been paid into the county treasury under an assessment on persons or property of the county in territory less than that of the whole county; and

(C) has been paid for construction, maintenance, or purchase of a public improvement;

(5) money that is due a person and has been paid into the county

treasury to redeem property from a tax sale or other forced sale;
(6) money that is due a person and has been paid to the county under law as a tender or payment to the person;
(7) taxes erroneously paid;
(8) money paid to a cemetery board under IC 23-14-65-22;
(9) money distributed under IC 23-14-70-3; or
(10) payments under a statute that expressly provides for payments from the county treasury without appropriations by the county fiscal body.

(e) An auditor who knowingly violates this section commits a Class A misdemeanor.

SECTION 199. IC 36-2-9.5-9, AS ADDED BY P.L.227-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) This section does not apply to:

(1) funds received from the state or the federal government for:
(A) ~~township~~ **local** assistance;
(B) unemployment relief; or
(C) old age pensions; or
(2) other funds available under:
(A) the federal Social Security Act; or
(B) another federal statute providing for civil and public works projects.

(b) Except for money that by statute is due and payable from the county or city treasury to:

(1) the state; or
(2) a township or municipality in the county;

money may be paid from the county or city treasury only upon a warrant drawn by the county auditor.

(c) A warrant may be drawn on the county or city treasury only if:

(1) the legislative body of the consolidated city made an appropriation of the money for the calendar year in which the warrant is drawn; and
(2) the appropriation is not exhausted.

(d) Notwithstanding subsection (c), an appropriation by the legislative body is not necessary to authorize the drawing of a warrant on and payment from the county or city treasury for:

(1) money that:
(A) belongs to the state; and
(B) is required by statute to be paid into the state treasury;
(2) money that belongs to a school fund, whether principal or interest;
(3) money that:

(A) belongs to a township or municipality in the county; and
(B) is required by statute to be paid to the township or municipality;
(4) money that:
(A) is due a person;
(B) is paid into the county or city treasury under an assessment on persons or property of the county in territory less than that of the whole county; and
(C) is paid for construction, maintenance, or purchase of a public improvement;
(5) money that is due a person and is paid into the county treasury to redeem property from a tax sale or other forced sale;
(6) money that is due a person and is paid to the county or city under law as a tender or payment to the person;
(7) taxes erroneously paid;
(8) money paid to a cemetery board under IC 23-14-65-22;
(9) money distributed under IC 23-14-70-3; or
(10) payments under a statute that expressly provides for payments from the county or city treasury without appropriation by the legislative body.

(e) A county auditor who knowingly violates this section commits a Class A misdemeanor.

SECTION 200. IC 36-2-21 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 21. County Fire Protection Duties

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

Sec. 2. Beginning January 1, 2019:

(1) the county executive is responsible for providing fire protection and emergency services in the unincorporated areas of the county as provided in the county's fire protection and emergency services plan adopted under IC 36-8-13.6; and
(2) the powers and duties of township government and the township trustee related to providing fire protection and emergency services in the unincorporated areas of the county are transferred to the county.

Sec. 3. After December 31, 2018, fire protection and emergency services in an unincorporated area of a county are governed by and subject to a county fire protection and emergency services plan adopted by the county legislative body under IC 36-8-13.6.

Sec. 4. In carrying out fire protection and emergency services

responsibilities under section 3 of this chapter, the county executive shall, as provided in the county's fire protection and emergency services plan adopted under IC 36-8-13.6, provide for fire protection and emergency services in the unincorporated areas of the county through any combination of:

(1) operating a county fire department;

(2) contracting with or otherwise cooperating with any municipality, county, fire protection district, volunteer fire department, fire protection territory, or other entity; or

(3) entering into mutual aid agreements.

SECTION 201. IC 36-6-1.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 1.2. Dissolution of Township Government; Transfer of Duties and Responsibilities; Transfer of Property

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

Sec. 2. On January 1, 2019, all township governments in counties not having a consolidated city are dissolved and the township government responsibilities and duties are transferred to the county.

Sec. 3. (a) The abolishment of the office of a township trustee, township board, and township assessor (if any) under this chapter does not invalidate:

(1) any resolutions, fees, schedules, or other actions adopted or taken by the township trustee or township assessor before January 1, 2019; or

(2) any appointments made by the township trustee or township assessor before January 1, 2019.

(b) In a county in which a township trustee, township board, or township assessor is abolished under this chapter, after December 31, 2018, any reference:

(1) in the Indiana Code;

(2) in the Indiana Administrative Code; or

(3) in any resolution;

to the township trustee and township board is considered a reference to the county executive and county fiscal body respectively, and any reference to the township assessor is considered a reference to the county assessor.

(c) On January 1, 2019, all:

(1) assets;

(2) debts;

(3) property rights;
(4) equipment;
(5) records;
(6) personnel; and
(7) contracts;

connected with the operations of a township government in the county related to township government functions are transferred to the county executive.

(d) Notwithstanding subsection (c)(6), the county executive shall determine which transferring township employees who were employed by the township before January 1, 2019, to perform township functions that were transferred to the county under this chapter, become county employees responsible for performing township functions that were transferred to the county under this chapter after December 31, 2018.

Sec. 4. (a) Except as provided in subsection (b), the balance on January 1, 2019, in a debt service fund related to fire protection of a township located in the county:

(1) is transferred to the county in which the township is located; and
(2) shall be used by the county to pay indebtedness or lease rentals for which the fund was established.

Any balance remaining in the fund after all payments for indebtedness or lease rentals required under this section have been made is transferred to the county general fund.

(b) The balance on January 1, 2019, in a debt service fund related to fire protection of a township that is wholly contained within a fire protection district as of December 31, 2019:

(1) is transferred to the county in which the township is wholly contained; and
(2) shall be used by the fire protection district to pay indebtedness or lease rentals for which the fund was established.

Any balance remaining in the fund after all payments for indebtedness or lease rentals required under this section have been made is transferred to the county general fund.

(c) The balance on January 1, 2019, in a debt service fund related to township functions other than those specified under subsection (a) or (b):

(1) is transferred to the county in which the township is located; and
(2) shall be used by the county to pay indebtedness or lease

rentals for which the fund was established.

Any balance remaining in the fund after all payments for indebtedness or lease rentals required under this section have been made is transferred to the county general fund.

Sec. 5. (a) On January 1, 2019, the balance in the general fund of a township in the county attributable to the duties of the township trustee under IC 36-6-4-3 is transferred to the county.

(b) The department of local government finance shall determine the amounts to be transferred under subsection (a).

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

Sec. 6. (a) The balance in the local assistance fund of a township in the county attributable to the duties of the township trustee on January 1, 2019:

(1) is transferred to the county executive; and

(2) shall be deposited in the local assistance fund of the county established under IC 12-20-21-6.

(b) The department of local government finance shall determine the amounts to be transferred under this section.

(c) IC 36-1-8-5 does not apply to a balance referred to in this section.

Sec. 7. Indebtedness that was incurred by a township before the township government is abolished under this chapter:

(1) may not be imposed on taxpayers that were not responsible for payment of the indebtedness before the abolishment of the township government; and

(2) must be paid by the taxpayers that were responsible for payment of the indebtedness before the abolishment of the township government.

Sec. 8. The department of local government finance shall adjust maximum permissible property tax levies and property tax rates of units of local government as necessary to account for transfers of duties, powers, and obligations under this chapter.

SECTION 202. IC 36-6-1.5-1, AS ADDED BY P.L.240-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a)** This chapter does not apply to a township in a county containing a consolidated city.

(b) This chapter expires January 1, 2019.

SECTION 203. IC 36-6-1.6-11, IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 11. This chapter expires January 1, 2019.**

SECTION 204. IC 36-6-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies ~~to all townships.~~ **as follows:**

(1) Before January 1, 2019, this chapter applies to all townships.

(2) After December 31, 2018, this chapter applies only to townships in a county having a consolidated city.

SECTION 205. IC 36-6-4-11, AS AMENDED BY P.L.73-2005, SECTION 174, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) At the township legislative body's annual meeting under IC 36-6-6-11, the executive shall:

(1) present an itemized written statement of the estimated expenditures for which appropriations are requested, specifying:

(A) the number of teachers employed;

(B) the salary of each teacher employed;

(C) the property of the township (and supplies on hand);

(D) the estimated value of the property of the township (and supplies on hand);

(E) the supplies necessary for each school; and

(F) the need for ~~township~~ **local** assistance in the township; and

(2) submit to questions from the legislative body or taxpayers concerning expenditures of the township.

(b) The written statement required under subsection (a)(1) must comply with forms prescribed by the state board of accounts and show the amount of each item to be charged against township funds.

SECTION 206. IC 36-6-5-1, AS AMENDED BY P.L.1-2009, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

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

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

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

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

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

(A) the legislative body of the township, by resolution,

declares that the office of township assessor is necessary; and (B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

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

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section. **This subsection expires on January 1, 2019.**

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

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

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under IC 36-2-15.

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

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

(g) A person who runs for the office of township assessor in an election after June 30, 2008, is subject to IC 3-8-1-23.6.

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

(i) Notwithstanding any other law, on January 1, 2019, in the case of a county that has a township assessor:

(1) the powers and duties of the township assessor are transferred to the county assessor;

(2) the office of township assessor is eliminated; and

(3) the term of any township assessor is terminated.

The transfer of powers and duties under this subsection does not affect any assessment, assessment appeal, or other official action of a township assessor relating to property assessment made before

the transfer of powers and duties of the township assessor. Any assessment, assessment appeal, or other official action made by a township assessor within the scope of the township assessor's official duties under IC 6-1.1 or this chapter before the transfer of powers and duties to the county assessor is considered to have been made by the county assessor.

(j) Each township assessor whose powers and duties are transferred to the county assessor under subsection (i) shall organize the records of the township assessor's office relating to those duties in a manner prescribed by the department of local government finance and transfer the records to the county assessor in the manner and at the time directed by the department of local government finance. The department of local government finance shall determine a procedure and schedule for the transfer of the records. A township assessor whose powers and duties are transferred to the county assessor under subsection (i) and the county assessor to whom the powers and duties are transferred shall assist each other and coordinate their efforts to ensure an orderly transfer of all township assessor records to the county assessor and to provide for an uninterrupted and professional transition of powers and duties from the township assessor to the county assessor consistent with the directions of the department of local government finance.

SECTION 207. IC 36-6-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a)** This chapter applies to all townships.

(b) After December 31, 2018, this chapter does not apply to a county not having a consolidated city.

SECTION 208. IC 36-6-6-2.1, AS ADDED BY P.L.240-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2.1. (a) This section applies if township governments merge under IC 36-6-1.5.

(b) If two (2) township governments merge, the resulting merged township government shall elect a three (3) member township board. The voters of the resulting merged township government shall elect all the members of the township board. One (1) member must reside within the boundaries of each of the township governments that merged.

(c) If at least three (3) township governments merge, the resulting merged township government shall elect a township board that has the same number of members as the number of township governments that merged. The voters of the resulting merged township shall elect all the

members of the township board. One (1) township board member must reside within the boundaries of each of the townships that merged.

(d) This section expires January 1, 2019.

SECTION 209. IC 36-6-6-3, AS AMENDED BY P.L.240-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) This subsection applies to townships in a county containing a consolidated city. One (1) member of the legislative body must reside within each legislative body district. If a member of the legislative body ceases to be a resident of the district from which the member was elected, the office becomes vacant.

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

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

(1) is created by a merger of township governments under IC 36-6-1.5; and

(2) elects a township board under section 2.1 of this chapter.

One (1) member of the legislative body must reside within the boundaries of each of the former townships that merged. If a member of the legislative body ceases to be a resident of that former township, the office becomes vacant. **This subsection expires January 1, 2019.**

SECTION 210. IC 36-6-6-4, AS AMENDED BY P.L.266-2013, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) Except as provided in subsections (b) and (c), two (2) members of the legislative body constitute a quorum.

(b) Before January 1, 2017, four (4) members of the legislative body in a county containing a consolidated city constitute a quorum. After December 31, 2016, three (3) members of the legislative body in a county having a consolidated city constitute a quorum.

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

(1) is created by a merger of township governments under IC 36-6-1.5; and

(2) elects a township board under section 2.1 of this chapter.

A majority of the members of the legislative body constitute a quorum. If a township board has an even number of members, the township executive shall serve as an ex officio member of the township board for the purpose of casting the deciding vote to break a tie. **This subsection expires January 1, 2019.**

SECTION 211. IC 36-6-6.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2015]:

Chapter 6.2. Transfer of Township Powers and Duties in Counties Other Than Marion County; Transfer of Property

Sec. 1. (a) This chapter applies after December 31, 2018.

(b) This chapter applies only to a county not having a consolidated city.

Sec. 2. (a) After December 31, 2018, fire protection and emergency services in an unincorporated area of a county are governed by and subject to a county fire protection and emergency services plan adopted under IC 36-8-13.6.

(b) After December 31, 2018, certain other township powers and responsibilities are transferred as otherwise specified by law.

Sec. 3. (a) On January 1, 2019, all:

(1) assets;

(2) debts;

(3) property rights;

(4) equipment;

(5) records;

(6) personnel; and

(7) contracts;

of a township government are transferred to the county. To the extent that the township and the county cannot agree on the transfers under this subsection, the department of local government finance shall make the final determination.

(b) If, as of December 31, 2019, a township has a local board for the 1937 firefighters' pension fund or the 1977 police officers' and firefighters' pension and disability fund, the local board is dissolved on January 1, 2019, and the powers, duties, and responsibilities of the local board under IC 36-8-7 or IC 36-8-8, respectively, are assumed by the county's local board for the 1937 firefighters' pension fund and local board for the 1977 police officers' and firefighters' pension and disability fund, respectively. Notwithstanding any other provision, the legislative body of the county may adopt an ordinance to adjust the membership of the county's local board to reflect the dissolution of the township's local board.

(c) As necessary, a county shall levy taxes (within the county's maximum permissible ad valorem property tax levy limit) as necessary to provide for the payment of pension benefits:

(1) to members of the 1937 firefighters' pension fund; and

(2) for which, before the transfer of fire protection responsibilities to counties under IC 36-2-21 and IC 36-8-13.7

(effective January 1, 2015), the local board of a township in the county was responsible.

Sec. 4. (a) Effective January 1, 2019, the county shall assume, defease, pay, or refund all township indebtedness or lease rental obligations related to a power or duty transferred to the county. The county may levy property taxes to pay township indebtedness or lease rental obligations incurred by a township only in the geographic area of the township that originally issued the debt or entered into the lease rental agreement. The former territory of the township comprises a taxing district for the payment of township indebtedness or lease rental obligations existing at the time of the abolition or alteration.

(b) Notwithstanding any other law, to assume, defease, pay, or refund all or a part of the indebtedness or lease rental obligations described in subsection (a), the county is not required to comply with any other statutory procedures or approvals that apply when a unit incurs indebtedness or lease rental obligations.

(c) The rights of a trustee, bondholder, or leaseholder with respect to any:

(1) indebtedness or lease rental obligations described in subsection (a); or

(2) bond resolution, trust agreement or indenture, security agreement, purchase agreement, or other undertaking with respect to indebtedness described in subsection (a);

remain the same, although the powers, duties, agreements, and liabilities of the townships have been transferred to the county, and the county shall be considered to have assumed all those powers, duties, agreements, and liabilities.

Sec. 5. (a) On January 1, 2019, the balance in the general fund of a township in the county shall be transferred to the county.

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

Sec. 6. (a) On January 1, 2019, the balance in the local assistance fund of a township in the county attributable to the duties of the township trustee:

(1) is transferred to the county; and

(2) shall be deposited in the local assistance fund of the county established under IC 12-20-21-6.

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

Sec. 7. Beginning January 1, 2019, and notwithstanding any other law to the contrary, any revenue from a local income tax for

public safety under IC 6-3.5-1.1-25 or IC 6-3.5-6-31 that the township would otherwise receive shall instead be paid to the county.

Sec. 8. The department of local government finance shall adjust maximum permissible property tax levies and property tax rates of units of local government as necessary to account for transfers of duties, powers, and obligations to the county.

SECTION 212. IC 36-7-4-208, AS AMENDED BY P.L.126-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 208. (a) ADVISORY. The county plan commission consists of nine (9) members, as follows:

(1) One (1) member appointed by the county executive from its membership.

(2) One (1) member appointed by the county fiscal body from its membership.

(3) The county surveyor or the county surveyor's designee.

(4) The county agricultural extension educator. However, if the county does not have a county agricultural extension educator, the county extension board shall select a resident of the county who is a property owner with agricultural interest to serve on the commission under this subdivision for a period not to exceed one (1) year.

(5) Five (5) members appointed in accordance with one (1) of the following:

(A) Four (4) citizen members, of whom no more than two (2) may be of the same political party. Each of the four (4) members must be:

(i) a resident of an unincorporated area of the county; or

(ii) a resident of the county who is also an owner of real property located in whole or in part in an unincorporated area of the county;

appointed by the county executive. However, at least two (2) of the citizen members must be residents of the unincorporated area of the county. Also one (1) township trustee, who must be a resident of an unincorporated area of the county appointed by the county executive upon the recommendation of the township trustees whose townships are within the jurisdiction of the county plan commission. **This clause expires January 1, 2019.**

(B) Five (5) citizen members, of whom not more than three (3) may be of the same political party. Each of the five (5) members must be:

(i) a resident of an unincorporated area of the county; or
(ii) a resident of the county who is also an owner of real property located in whole or in part in an unincorporated area of the county;

appointed by the county executive. However at least three (3) members must be residents of the unincorporated area of the county.

If a county executive changes the plan commission from having members described in clause (B) to having members described in clause (A), the county executive shall appoint a township trustee to replace the first citizen member whose term expires and who belongs to the same political party as the township trustee. Each member appointed to the commission is entitled to receive compensation for mileage at the same rate and the same compensation for services as a member of a county executive, a member of a county fiscal body, a county surveyor, or an appointee of a county surveyor receives for serving on the commission, as set forth in section 222.5 of this chapter.

(b) ADVISORY. The metropolitan plan commission consists of nine (9) members, as follows:

(1) One (1) member appointed by the county legislative body from its membership.

(2) One (1) member appointed by the second class city legislative body from its membership.

(3) Three (3) citizen members who:

(A) reside in an unincorporated area of the county; or
(B) reside in the county and also own real property located in whole or in part in an unincorporated area of the county;

of whom no more than two (2) may be of the same political party, appointed by the county legislative body. One (1) of these members must be actively engaged in farming.

(4) Four (4) citizen members, of whom no more than two (2) may be of the same political party, appointed by the second class city executive. One (1) of these members must be from the metropolitan school authority or community school corporation and a resident of that school district, and the other three (3) members must be residents of the second class city.

(c) AREA. When there are six (6) county representatives, they are as follows:

(1) One (1) member appointed by the county executive from its membership.

(2) One (1) member appointed by the county fiscal body from its

membership.

(3) The county superintendent of schools, or if that office does not exist, a representative appointed by the school corporation superintendents within the jurisdiction of the area plan commission.

(4) One (1) of the following appointed by the county executive:

(A) The county agricultural extension educator.

(B) The county surveyor or the county surveyor's designee.

(5) One (1) citizen member who is:

(A) a resident of the unincorporated area of the county; or

(B) a resident of the county who is also an owner of real property located in whole or in part in the unincorporated area of the county;

appointed by the county executive.

(6) One (1) citizen member who is:

(A) a resident of the unincorporated area of the county; or

(B) a resident of the county who is also an owner of real property located in whole or in part in the unincorporated area of the county;

appointed by the county fiscal body.

(d) AREA. When there are five (5) county representatives, they are the representatives listed or appointed under subsection (c)(3), (c)(4), (c)(5), and (c)(6) and:

(1) the county surveyor or the county surveyor's designee if the county executive appoints the county agricultural extension educator under subsection (c)(4); or

(2) the county agricultural extension educator if the county executive appoints the county surveyor under subsection (c)(4).

SECTION 213. IC 36-8-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies to:

(1) second and third class cities; **and**

(2) after December 31, 2018, counties not having a consolidated city (for purposes of the county fire department).

It also applies to other units, where specifically indicated.

SECTION 214. IC 36-8-3-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. (a) This section does not apply to a county having a consolidated city.**

(b) After December 31, 2018, if a county establishes a county fire department, the county legislative body may by ordinance establish a safety board for purposes of the county fire department,

with the members to be appointed by the county executive.

(c) After December 31, 2018, a safety board described in this section has the same powers and duties under this chapter for purposes of the county fire department as a municipal safety board has under this chapter for purposes of a municipal fire department.

SECTION 215. IC 36-8-3.5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. (a) This section does not apply to a county having a consolidated city.**

(b) In the case of a county to which firefighting duties and responsibilities are transferred from townships to the county after December 31, 2018, the county may establish a merit system under this chapter for the county fire department.

SECTION 216. IC 36-8-7-1, AS AMENDED BY P.L.227-2005, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) This chapter applies to pension benefits for members of fire departments hired before May 1, 1977, in units for which a 1937 fund was established before May 1, 1977.

(b) A firefighter with twenty (20) years of service is covered by this chapter and not by IC 36-8-8 if the firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-36.5-7 (repealed September 1, 1981); and

(3) is rehired after April 30, 1977, by the same employer.

(c) A firefighter is covered by this chapter and not by IC 36-8-8 if the firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-36.5-7 (repealed September 1, 1981);

(3) was rehired after April 30, 1977, but before February 1, 1979; and

(4) was made, before February 1, 1979, a member of a 1937 fund.

(d) A firefighter who:

(1) is covered by this chapter before a consolidation under IC 36-3-1-6.1; and

(2) becomes a member of a fire department of a consolidated city under IC 36-3-1-6.1;

is covered by this chapter after the effective date of the consolidation, and the firefighter's service as a member of a fire department of a consolidated city is considered active service under this chapter.

(e) A firefighter who:

(1) as of December 31, 2018, is a member of the 1937 fund as a firefighter with a township fire department, fire protection territory, or fire protection district within a county; and

(2) after the transfer of fire protection responsibilities to counties under IC 36-2-21 and IC 36-8-13.7 (effective January 1, 2019) becomes a member of the county fire department or a fire protection territory or fire protection district within the county;

is covered by this chapter after the firefighter becomes a member of the county fire department, and the firefighter's service as a member of a township fire department, fire protection territory, or fire protection district that was covered under this chapter before January 1, 2019, is considered active service under this chapter.

SECTION 217. IC 36-8-8-1, AS AMENDED BY P.L.119-2012, SECTION 218, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. This chapter applies to:

(1) full-time police officers hired or rehired after April 30, 1977, in all municipalities, or who converted their benefits under IC 19-1-17.8-7 (repealed September 1, 1981);

(2) full-time fully paid firefighters hired or rehired after April 30, 1977, or who converted their benefits under IC 19-1-36.5-7 (repealed September 1, 1981);

(3) a police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996;

(4) a park ranger who:

(A) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;

(B) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and

(C) is employed by the parks department of a city having a population of more than one hundred ~~ten~~ **twenty** thousand ~~(110,000)~~ **(120,000)** but less than one hundred fifty thousand (150,000);

(5) a full-time fully paid firefighter who is covered by this chapter before the effective date of consolidation and becomes a member of the fire department of a consolidated city under IC 36-3-1-6.1, provided that the firefighter's service as a member of the fire department of a consolidated city is considered active service

under this chapter;

(6) except as otherwise provided, a full-time fully paid firefighter who is hired or rehired after the effective date of the consolidation by a consolidated fire department established under IC 36-3-1-6.1;

(7) a full-time police officer who is covered by this chapter before the effective date of consolidation and becomes a member of the consolidated law enforcement department as part of the consolidation under IC 36-3-1-5.1, provided that the officer's service as a member of the consolidated law enforcement department is considered active service under this chapter; ~~and~~

(8) except as otherwise provided, a full-time police officer who is hired or rehired after the effective date of the consolidation by a consolidated law enforcement department established under IC 36-3-1-5.1; **and**

(9) a full-time, fully paid firefighter who:

(A) as of December 31, 2019, is a member of the 1977 fund as a firefighter with a township fire department, fire protection territory, or fire protection district within a county; and

(B) after the transfer of fire protection responsibilities to counties under IC 36-2-21 and IC 36-8-13.7 (effective January 1, 2019) becomes a member of the county fire department, a fire protection territory, or fire protection district within the county;

except as provided by section 7 of this chapter.

SECTION 218. IC 36-8-8-2.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2.1. (a) As used in this chapter, "local board" means the following:

(1) For a unit that established a 1925 fund for its police officers, the local board described in IC 36-8-6-2.

(2) **Except as provided in subdivision (3),** for a unit that established a 1937 fund for its firefighters, the local board described in IC 36-8-7-3.

(3) This subdivision does not apply to a township in a county having a consolidated city. For a township that established a 1937 fund for its firefighters, "local board", after December 31, 2018, means the local board of the county.

~~(3)~~ **(4)** For a consolidated city that established a 1953 fund for its police officers, the local board described in IC 36-8-7.5-2.

~~(4)~~ **(5)** For a unit, other than a consolidated city, that did not establish a 1925 fund for its police officers or a 1937 fund for its

firefighters, the local board described in subsection (b) or (c).

(b) If a unit did not establish a 1925 fund for its police officers, a local board shall be composed in the same manner described in IC 36-8-6-2(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

(c) If a unit did not establish a 1937 fund for its firefighters, a local board shall be composed in the same manner described in IC 36-8-7-3(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

SECTION 219. IC 36-8-8-7, AS AMENDED BY P.L.117-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Except as provided in subsections (d), (e), (f), (g), (h), (k), (l), and ~~(m).~~ **(n):**

(1) a police officer; or

(2) a firefighter;

who is less than thirty-six (36) years of age and who passes the baseline statewide physical and mental examinations required under section 19 of this chapter shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires the police officer or firefighter chooses to contribute to the 1977 fund the amount necessary to amortize the police officer's or firefighter's prior service liability over a period of not more than forty (40) years, the amount and the period to be determined by the system board. If the employer chooses to make the contributions, the police officer or firefighter is entitled to receive credit for the police officer's or firefighter's prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30, 1977, with the police or fire department of an employer covered by this chapter.

(d) A police officer or firefighter with twenty (20) years of service does not become a member of the 1977 fund and is not covered by this

chapter, if the police officer or firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981); and

(3) is rehired after April 30, 1977, by the same employer.

(e) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);

(3) was rehired after April 30, 1977, but before February 1, 1979; and

(4) was made, before February 1, 1979, a member of a 1925, 1937, or 1953 fund.

(f) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

(1) was hired by the police or fire department of a unit before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);

(3) is rehired by the police or fire department of another unit after December 31, 1981; and

(4) is made, by the fiscal body of the other unit after December 31, 1981, a member of a 1925, 1937, or 1953 fund of the other unit.

If the police officer or firefighter is made a member of a 1925, 1937, or 1953 fund, the police officer or firefighter is entitled to receive credit for all the police officer's or firefighter's years of service, including years before January 1, 1982.

(g) As used in this subsection, "emergency medical services" and "emergency medical technician" have the meanings set forth in IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

(1) is employed by a unit that is participating in the 1977 fund;

(2) was employed as an emergency medical technician by a political subdivision wholly or partially within the department's jurisdiction;

(3) was a member of the public employees' retirement fund during the employment described in subdivision (2); and

(4) ceased employment with the political subdivision and was hired by the unit's fire department due to the reorganization of

emergency medical services within the department's jurisdiction; shall participate in the 1977 fund. A firefighter who participates in the 1977 fund under this subsection is subject to sections 18 and 21 of this chapter.

(h) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the individual was appointed as:

(1) a fire chief under a waiver under IC 36-8-4-6(c); or

(2) a police chief under a waiver under IC 36-8-4-6.5(c);

unless the executive of the unit requests that the 1977 fund accept the individual in the 1977 fund and the individual previously was a member of the 1977 fund.

(i) A police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996, is a member of the 1977 fund.

(j) A park ranger who:

(1) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;

(2) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and

(3) is employed by the parks department of a city having a population of more than one hundred ten thousand (110,000) but less than one hundred fifty thousand (150,000);

is a member of the fund.

(k) Notwithstanding any other provision of this chapter, a police officer or firefighter:

(1) who is a member of the 1977 fund before a consolidation under IC 36-3-1-5.1 or IC 36-3-1-6.1;

(2) whose employer is consolidated into the consolidated law enforcement department or the fire department of a consolidated city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and

(3) who, after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(l) Notwithstanding any other provision of this chapter, if:

(1) before a consolidation under IC 8-22-3-11.6, a police officer or firefighter provides law enforcement services or fire protection

services for an entity in a consolidated city;

(2) the provision of those services is consolidated into the law enforcement department or fire department of a consolidated city; and

(3) after the consolidation, the police officer or firefighter becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 8-22-3-11.6;

the police officer or firefighter is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(m) Notwithstanding any other provision of this chapter, a firefighter who:

(1) as of December 31, 2018, is a member of the 1977 fund as a firefighter with a township fire department, fire protection territory, or fire protection district within a county; and

(2) after the transfer of fire protection responsibilities to counties under IC 36-2-21 and IC 36-8-13.7 (effective January 1, 2019) becomes a member of the county fire department, a fire protection territory, or fire protection district within the county;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter. A firefighter described in this subsection is entitled to receive credit for all years of service as a member of the 1977 fund before becoming a member of the county fire department.

~~(m)~~ **(n)** A police officer or firefighter who is a member of the 1977 fund under subsection (k) or (l) may not be:

(1) retired for purposes of section 10 of this chapter; or

(2) disabled for purposes of section 12 of this chapter;

solely because of a change in employer under the consolidation.

~~(n)~~ **(o)** Notwithstanding any other provision of this chapter and subject to subsection ~~(o),~~ **(p)** a police officer or firefighter who:

(1) is an active member of the 1977 fund with an employer that participates in the 1977 fund;

(2) separates from that employer; and

(3) not later than one hundred eighty (180) days after the date of the separation described in subdivision (2), becomes employed as a full-time police officer or firefighter with a second employer that participates in the 1977 fund;

is a member of the 1977 fund without meeting for a second time the age limitation under subsection (a) and the requirements under sections 19 and 21 of this chapter. A police officer or firefighter to whom this

subsection applies is entitled to receive credit for all years of 1977 fund covered service as a police officer or firefighter with all employers that participate in the 1977 fund.

~~(o)~~ **(p)** The one hundred eighty (180) day limitation described in subsection ~~(n)(3)~~ **(o)(3)** does not apply to a member of the 1977 fund who is eligible for reinstatement under IC 36-8-4-11.

SECTION 220. IC 36-8-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) A county legislative body may establish fire protection districts for any of the following purposes:

(1) Fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the district.

(2) Fire prevention, including identification and elimination of all potential and actual sources of fire hazard.

(3) Other purposes or functions related to fire protection and fire prevention.

(b) Any area may be established as a fire protection district, but one (1) part of a district may not be completely separate from another part. A municipality may be included in a district, but only if it consents by ordinance, unless a majority of the freeholders of the municipality have petitioned to be included in the district.

(c) Except as provided in subsection (d), the territory of a district may consist of:

(1) one (1) or more townships and parts of one (1) or more townships in the same county; or

(2) all of the townships in the same county.

The boundaries of a district need not coincide with those of other political subdivisions.

(d) The territory of a district may consist of a municipality that is located in more than one (1) county.

(e) On January 1, 2019, the following occurs in a county not having a consolidated city:

(1) Subject to subdivision (2), on January 1, 2019, the county shall assume the powers, duties, rights, responsibilities, and obligations under this chapter of each township participating in the district.

(2) A county legislative body may withdraw any part of the unincorporated area of the county from participation in the fire protection district, as specified in the county fire protection and emergency services plan.

(3) The department of local government finance shall make any necessary adjustments to the maximum permissible ad valorem property tax levy for the county firefighting fund to account for any transfer of powers, duties, rights, responsibilities, and obligations under this section.

SECTION 221. IC 36-8-11-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 15. (a) The board:

(1) has the same powers and duties as a township executive with respect to fire protection functions, including those duties and powers prescribed by IC 36-8-13 **and (after December 31, 2018) IC 36-8-13.7,** although all cooperative and joint actions permitted by ~~that chapter~~ **those chapters** must be undertaken according to this chapter;

(2) has the same powers and duties as a township executive relative to contracting with volunteer firefighting companies, as prescribed by IC 36-8-12, ~~and~~ IC 36-8-13, **and (after December 31, 2018) IC 36-8-13.7;**

(3) shall appoint, fix the compensation, and prescribe the duties of a fiscal officer, secretarial staff, persons performing special and temporary services or providing legal counsel, and other personnel considered necessary for the proper functioning of the district; however, a person appointed as fiscal officer must be bonded by good and sufficient sureties in an amount ordered by the county legislative body to protect the district from financial loss;

(4) shall exercise general supervision of and make regulations for the administration of the district's affairs;

(5) shall prescribe uniform rules pertaining to investigations and hearings;

(6) shall supervise the fiscal affairs and responsibilities of the district;

(7) may delegate to employees of the district the authority to perform ministerial acts, except in cases in which final action of the board is necessary;

(8) shall keep accurate and complete records of all departmental proceedings, record and file all bonds and contracts, and assume responsibility for the custody and preservation of all papers and documents of the district;

(9) shall make an annual report to the executive and the fiscal body of the county that at least lists the financial transactions of the district and a statement of the progress in accomplishing the purposes for which the district has been established;

(10) shall adopt a seal and certify all official acts;
(11) may sue and be sued collectively by its legal name ("Board of Fire Trustees, _____ Fire Protection District"), with service of process made on the chairman of the board, but costs may not be taxed against the members individually in an action;
(12) may invoke any legal, equitable, or special remedy for the enforcement of this chapter or of proper action of the board taken in a court;
(13) shall prepare and submit to the fiscal body of the county an annual budget for operation and maintenance expenses and for the retirement of obligations of the district, subject to review and approval by the fiscal body;
(14) may, if advisable, establish one (1) or more advisory committees;
(15) may enter into agreements with and accept money from a federal or state agency and enter into agreements with a municipality located within or outside the district, whether or not the municipality is a part of the district, for a purpose compatible with the purposes for which the district exists and with the interests of the municipality;
(16) may accept gifts of money or other property to be used for the purposes for which the district is established;
(17) may levy taxes at a uniform rate on the real and personal property within the district;
(18) may issue bonds and tax anticipation warrants;
(19) may incur other debts and liabilities;
(20) may purchase or rent property;
(21) may sell services or property that are produced incident to the operations of the district making a fair and reasonable charge for it;
(22) may make contracts or otherwise enter into agreements with public or private persons and federal or state agencies for construction, maintenance, or operations of or in part of the district;
(23) may receive and disburse money; and
(24) may impose a false alarm fee or service charge under IC 36-8-13-4 **or (after December 31, 2018) IC 36-8-13.7-7.**

(b) Powers granted by this chapter may be used only to accomplish the purpose or purposes as stated in the ordinance or resolution establishing the district. However, an act of the board necessary and proper to accomplish the purposes for which the district is established is not invalid because it incidentally accomplishes a purpose other than

one for which the district is established.

SECTION 222. IC 36-8-11-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 19. The department of local government finance, when approving a rate and levy fixed by the board, shall verify that a duplication of tax levies does not exist between a fire protection district and a municipality, ~~or~~ township, **or (after December 31, 2018) county, in the case of a county not having a consolidated city,** within the boundaries of the district, so that taxpayers do not bear two (2) levies for the same service, except as provided by section 20 of this chapter.

SECTION 223. IC 36-8-11-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 21. This chapter does not require a municipality, ~~or~~ township, **or (after December 31, 2018) county, in the case of a county not having a consolidated city,** to disband its fire department unless its legislative body consents by ordinance.

SECTION 224. IC 36-8-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a)** Except as provided in **subsection (b) and** section 10 of this chapter, this chapter applies to all units except counties.

(b) After December 31, 2018, this chapter:

(1) also applies to counties not having a consolidated city; and

(2) does not apply to a township located in a county not having a consolidated city.

(c) On January 1, 2019, a county not having a consolidated city shall assume the powers, duties, rights, and obligations under this chapter of each township in the county.

SECTION 225. IC 36-8-12-13, AS AMENDED BY P.L.208-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) Except as provided in subsection (b), the volunteer fire department that responds first to an incident may impose a charge on the owner of property, the owner of a vehicle, or a responsible party (as defined in IC 13-11-2-191(e)) that is involved in a hazardous material or fuel spill or chemical or hazardous material related fire (as defined in IC 13-11-2-96(b)):

(1) that is responded to by the volunteer fire department; and

(2) that members of that volunteer fire department assisted in extinguishing, containing, or cleaning up.

A second or subsequently responding volunteer fire department may not impose a charge on an owner or responsible party under this section, although it may be entitled to reimbursement from the first responding volunteer fire department in accordance with an interlocal

or other agreement.

(b) A volunteer fire department that is funded, in whole or in part:

(1) by taxes imposed by a unit; or

(2) by a contract with a unit;

may not impose a charge under subsection (a) on a natural person who resides or pays property taxes within the boundaries of the unit described in subdivision (1) or (2), unless the spill or the chemical or hazardous material fire poses an imminent threat to persons or property.

(c) The volunteer fire department shall bill the owner or responsible party of the vehicle for the total dollar value of the assistance that was provided, with that value determined by a method that the state fire marshal shall establish under section 16 of this chapter. A copy of the fire incident report to the state fire marshal must accompany the bill. This billing must take place within thirty (30) days after the assistance was provided. The owner or responsible party shall remit payment directly to the governmental unit providing the service. Any money that is collected under this section may be:

(1) deposited in the township firefighting fund established in IC 36-8-13-4 **or the county firefighting fund established under IC 36-8-13.7-5;**

(2) used to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus; or

(3) used for the purchase of equipment, buildings, and property for firefighting, fire protection, and other emergency services.

(d) Any administrative fees charged by a fire department's agent must be paid only from fees that are collected and allowed by Indiana law and the fire marshal's schedule of fees.

(e) An agent who processes fees on behalf of a fire department shall send all bills, notices, and other related materials to both the fire department and the person being billed for services.

(f) All fees allowed by Indiana law and the fire marshal's fee schedule must be itemized separately from any other charges.

(g) The volunteer fire department may maintain a civil action to recover an unpaid charge that is imposed under subsection (a) and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 226. IC 36-8-12-16, AS AMENDED BY P.L.208-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. (a) A volunteer fire department that provides

service within a jurisdiction served by the department may establish a schedule of charges for the services that the department provides not to exceed the state fire marshal's recommended schedule for services. The volunteer fire department or its agent may collect a service charge according to this schedule from the owner of property that receives service if the following conditions are met:

(1) At the following times, the department gives notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the service charge for each service that the department provides:

(A) Before the schedule of service charges is initiated.

(B) When there is a change in the amount of a service charge.

(2) The property owner has not sent written notice to the department to refuse service by the department to the owner's property.

(3) The bill for payment of the service charge:

(A) is submitted to the property owner in writing within thirty (30) days after the services are provided;

(B) includes a copy of a fire incident report in the form prescribed by the state fire marshal, if the service was provided for an event that requires a fire incident report;

(C) must contain verification that the bill has been approved by the chief of the volunteer fire department; and

(D) must contain language indicating that correspondence from the property owner and any question from the property owner regarding the bill should be directed to the department.

(4) Payment is remitted directly to the governmental unit providing the service.

(b) A volunteer fire department shall use the revenue collected from the fire service charges under this section:

(1) for the purchase of equipment, buildings, and property for firefighting, fire protection, or other emergency services;

(2) for deposit in the township firefighting fund established under IC 36-8-13-4 **or the county firefighting fund established under IC 36-8-13.7-5;** or

(3) to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.

(c) Any administrative fees charged by a fire department's agent must be paid only from fees that are collected and allowed by Indiana law and the fire marshal's schedule of fees.

(d) An agent who processes fees on behalf of a fire department shall send all bills, notices, and other related materials to both the fire department and the person being billed for services.

(e) All fees allowed by Indiana law and the fire marshal's fee schedule must be itemized separately from any other charges.

(f) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in IC 34-6-2-110), the legislative body of a contracting political subdivision must approve the schedule of service charges established under subsection (a) before the schedule of service charges is initiated in that political subdivision.

(g) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) charges for services under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of service charges collected during the previous calendar year and how those funds have been expended.

(h) The state fire marshal shall annually prepare and publish a recommended schedule of service charges for fire protection services.

(i) The volunteer fire department or its agent may maintain a civil action to recover an unpaid service charge under this section and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 227. IC 36-8-12-17, AS AMENDED BY P.L.208-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) If a political subdivision has not imposed its own false alarm fee or service charge, a volunteer fire department that provides service within the jurisdiction may establish a service charge for responding to false alarms. The volunteer fire department may collect the false alarm service charge from the owner of the property if the volunteer fire department dispatches firefighting apparatus or personnel to a building or premises in the ~~township~~ **political subdivision** in response to:

(1) an alarm caused by improper installation or improper maintenance; or

(2) a drill or test, if the fire department is not previously notified that the alarm is a drill or test.

However, if the owner of property that constitutes the owner's residence establishes that the alarm is under a maintenance contract with an

alarm company and that the alarm company has been notified of the improper installation or maintenance of the alarm, the alarm company is liable for the payment of the fee or service charge.

(b) Before establishing a false alarm service charge, the volunteer fire department must provide notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the false alarm service charge. The notice required by this subsection must be given:

(1) before the false alarm service charge is initiated; and

(2) before a change in the amount of the false alarm service charge.

(c) A volunteer fire department may not collect a false alarm service charge from a property owner or alarm company unless the department's bill for payment of the service charge:

(1) is submitted to the property owner in writing within thirty (30) days after the false alarm; and

(2) includes a copy of a fire incident report in the form prescribed by the state fire marshal.

(d) A volunteer fire department shall use the money collected from the false alarm service charge imposed under this section:

(1) for the purchase of equipment, buildings, and property for fire fighting, fire protection, or other emergency services;

(2) for deposit in:

(A) before January 1, 2019, the township firefighting fund established under IC 36-8-13-4; **or**

(B) after December 31, 2018, the township firefighting fund established under IC 36-8-13-4 (in the case of a township that is located in a county having a consolidated city and that has not consolidated the township's fire department under IC 36-3-1-6.1) or the county firefighting fund established under IC 36-8-13.7-5 (in the case of a county not having a consolidated city); or

(3) to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.

(e) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in IC 34-6-2-110), the legislative body of a contracting political subdivision must approve the false alarm service charge established under subsection (a) before the

service charge is initiated in that political subdivision.

(f) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) imposes a false alarm service charge under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of false alarm charges collected during the previous calendar year and how those funds have been expended.

(g) The volunteer fire department may maintain a civil action to recover unpaid false alarm service charges imposed under this section and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 228. IC 36-8-12.2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. As used in this chapter, "fire department" means a fire department that:

(1) is established under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), **or IC 36-8-13.7-4(a)(1);** and

(2) employs:

(A) both full-time paid members and volunteer members; or

(B) only full-time paid members.

SECTION 229. IC 36-8-12.2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Money collected under this chapter must be deposited in one (1) of the following:

(1) The general fund of the unit that established the fire department under IC 36-8-2-3, ~~or~~ IC 36-8-13-3(a)(1), **or IC 36-8-13.7-4(a)(1).**

(2) A hazardous materials response fund established under section 8.1 of this chapter by a city or town having a fire department established under IC 36-8-2-3.

(b) Money collected under this chapter may be used only for the following:

(1) Purchase of supplies and equipment used in providing hazardous materials emergency assistance under this chapter.

(2) Training for members of the fire department in skills necessary for providing hazardous materials emergency assistance under this chapter.

(3) Payment to persons with which the fire department contracts to provide services related to the hazardous materials emergency assistance provided by the fire department under this chapter.

SECTION 230. IC 36-8-13-1, AS AMENDED BY P.L.227-2005, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2015]: Sec. 1. This chapter applies to all townships. However, this chapter does not apply:

(1) to a township in which the fire department of the township has been consolidated under IC 36-3-1-6.1; **or**

(2) after December 31, 2018, to a township located in a county not having a consolidated city.

SECTION 231. IC 36-8-13.6 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 13.6. County Fire Protection and Emergency Services Plan

Sec. 1. This chapter does not apply to a county having a consolidated city.

Sec. 2. As used in this chapter, "county plan" means a county fire protection and emergency services plan.

Sec. 3. The county legislative body shall propose a county plan. After the county legislative body proposes a county plan, the county legislative body shall review the county plan during at least two (2) public meetings at which the public and any interested parties shall have the opportunity to comment on the county plan.

Sec. 4. (a) A county legislative body shall before January 1, 2019, adopt an ordinance finally approving the county plan.

(b) If a county legislative body does not adopt an ordinance finally approving a county plan under subsection (a) before January 1, 2019, the division of fire and building safety established by IC 10-19-7-1 shall instead adopt the county plan for that county.

Sec. 5. A county legislative body may periodically amend the ordinance setting forth the county plan.

Sec. 6. (a) A county plan must provide that after December 31, 2018, the county is responsible for fire protection and emergency services in the unincorporated areas of the county.

(b) A county plan must include the following:

(1) A comprehensive plan providing for fire protection, emergency medical services, and hazardous materials response in the unincorporated areas of the county in an efficient and cost effective manner. The plan must describe the facilities, equipment, and personnel that will be used to provide fire protection and emergency services in the unincorporated areas of the county.

(2) A description of the standards of service and protocols for fire protection and emergency services.

(3) A plan specifying the transition of fire protection and

emergency services from existing township fire departments and other providers of fire protection and emergency services to county administered fire protection and emergency services in the unincorporated areas of the county.

(4) A description of:

(A) the organization of the county fire department; and

(B) any residency requirements that apply to members of the county fire department.

(5) A description of any fire protection districts, fire protection territories, volunteer fire departments, or other units of government that will be established or used to provide fire protection service or with which the county will contract or otherwise enter into an agreement for fire protection and emergency services. The county plan must provide that the executive of the county will provide for fire protection and emergency services in the unincorporated areas of the county through any combination of the following:

(A) The operation of a county fire department.

(B) Contracting with or otherwise cooperating with any municipality, county, fire protection district, volunteer fire department, fire protection territory, or other entity.

(C) Entering into mutual aid agreements.

SECTION 232. IC 36-8-13.7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 13.7. County Fire Protection and Emergency Services

Sec. 1. This chapter does not apply to a county having a consolidated city.

Sec. 2. As used in this chapter, "county plan" means a county fire protection and emergency services plan approved under IC 36-8-13.6.

Sec. 3. (a) Beginning January 1, 2019, the executive of a county shall provide for fire protection and emergency services in the unincorporated areas of the county in the manner specified in the county plan.

(b) As provided in IC 36-2-21, in carrying out fire protection and emergency services responsibilities, the county executive shall, as provided in the county plan, provide for fire protection and emergency services in the unincorporated areas of the county through any combination of:

(1) operating a county fire department;

(2) contracting with or otherwise cooperating with any

municipality, county, fire protection district, volunteer fire department, fire protection territory, or other entity; or

(3) entering into mutual aid agreements.

Sec. 4. (a) The executive of a county, with the approval of the county fiscal body and according to the county plan, may do the following in carrying out the county's responsibility to provide fire protection and emergency services in the unincorporated areas of the county after December 31, 2018:

(1) Purchase firefighting and emergency services apparatus and equipment for the county, provide for the housing, care, maintenance, operation, and use of the apparatus and equipment to provide services within the unincorporated areas of the county, and employ full-time or part-time personnel to operate the apparatus and equipment and to provide services in that area. Preference in employment under this section shall be given according to the following priority:

(A) A war veteran who has been honorably discharged from the United States armed forces.

(B) A person whose mother or father was a:

(i) firefighter of a unit;

(ii) municipal police officer; or

(iii) county police officer;

who died in the line of duty (as defined in IC 5-10-10-2).

A person described in this subdivision may not receive a preference for employment unless the person applies for employment and meets all employment requirements prescribed by law, including physical and age requirements, and all employment requirements prescribed by the fire department.

(2) Contract in accordance with IC 36-1-7 with a municipality in the county or in a contiguous county that maintains adequate firefighting or emergency services apparatus and equipment to provide fire protection or emergency services.

(3) Cooperate in accordance with IC 36-1-7 with a municipality in the county or in a contiguous county in the purchase, maintenance, and upkeep of firefighting or emergency services apparatus and equipment for use in the municipality and county.

(4) Contract with a volunteer fire department for the use and operation of firefighting apparatus and equipment that has been purchased by the county in order to save the private and public property of the county from destruction by fire,

including use of the apparatus and equipment in an adjoining county by the volunteer fire department if the volunteer fire department has made a contract with the executive of the adjoining county to furnish firefighting service within the county.

(5) Contract with a volunteer fire department that maintains adequate firefighting service in accordance with IC 36-8-12.

(b) This subsection applies only to a municipality whose municipal territory is completely within a county and that does not have a full-time paid fire department. The county may provide fire protection or emergency services, or both, without contracts inside the corporate boundaries of the municipality if before July 1 of a year both of the following occur:

(1) The legislative body of the municipality adopts an ordinance to have the county provide the services without a contract.

(2) The county fiscal body passes a resolution approving the county's provision of the services to the municipality without a contract.

In a county providing services to a municipality under this section, the legislative body of a municipality in the county, the county fiscal body, or the county executive may opt out of participation under this subsection by adopting an ordinance or resolution before July 1 of a year.

Sec. 5. (a) Each county shall establish a county firefighting fund that is the exclusive fund used by the county for the payment of costs attributable to providing fire protection or emergency services under section 4 of this chapter and for no other purposes. The money in the fund may be paid out by the county executive upon appropriation by the county fiscal body.

(b) Each county may levy, for property taxes due in 2019 and thereafter, a tax for the county firefighting fund. Other than a county providing fire protection or emergency services, or both, to municipalities in the county under section 4(b) of this chapter, the tax levy is on all taxable real and personal property in the county that is outside the corporate boundaries of municipalities. Subject to the levy limitations under IC 6-1.1-18.5, the county levy must be in an amount sufficient to pay all costs attributable to fire protection and emergency services that are not paid from other revenues available to the fund. The tax rate and levy must be established in accordance with the procedures set forth in IC 6-1.1-17.

(c) In addition to the tax levy under this section and service charges received under IC 36-8-12-13 and IC 36-8-12-16, the executive may accept donations to the county for firefighting and other emergency services and shall place the donations in the county firefighting fund, keeping an accurate record of the sums received. A person may also donate partial payment of any purchase of firefighting or other emergency services equipment made by the county.

Sec. 6. (a) This section applies to a county that provides fire protection or emergency services, or both, to a municipality in the county under section 4(b) of this chapter.

(b) With the consent of the county fiscal body, the county executive shall pay the expenses for fire protection and emergency services in the county, both inside and outside the corporate boundaries of participating municipalities, from any combination of the following county funds, regardless of when the funds were established:

(1) The county firefighting fund under section 5(a) of this chapter.

(2) The cumulative building and equipment fund under IC 36-8-14.

(3) The debt fund for taxes levied under section 10 of this chapter.

(c) Subject to the levy limitations under IC 6-1.1-18.5, the tax rate and levy for the county firefighting fund, the cumulative building and equipment fund, or the debt fund must be in an amount sufficient to pay all costs attributable to fire protection or emergency services that are provided to the county and the participating municipalities that are not paid from other available revenues. The tax rate and levy for each fund must be established in accordance with the procedures set forth in IC 6-1.1-17 and apply both inside and outside the corporate boundaries of participating municipalities.

(d) The county executive may accept donations for firefighting and emergency services. The county executive shall place donations in the county firefighting fund. A person may donate partial payment of a purchase of firefighting or emergency services equipment made by the county.

Sec. 7. (a) If a fire department serving a county dispatches fire apparatus or personnel to a building or premises in the county in response to:

(1) an alarm caused by improper installation or improper

maintenance of the alarm; or

(2) a drill or test, if the fire department is not previously notified that the alarm is a drill or test;

the county may impose a fee or service charge upon the owner of the property. However, if the owner of property that constitutes the owner's residence establishes that the alarm is under a maintenance contract with an alarm company and that the alarm company has been notified of the improper installation or maintenance of the alarm, the alarm company is liable for the payment of the fee or service charge.

(b) The amount of a fee or service charge imposed under subsection (a) shall be determined by the county legislative body. All money received by the county from the fee or service charge must be deposited in the county's firefighting fund established under section 5 of this chapter.

Sec. 8. (a) For counties and municipalities that elect to have the county provide fire protection and emergency services under section 4(b) of this chapter, the department of local government finance shall adjust each county's and each municipality's maximum permissible ad valorem property tax levy in the year following the year in which the election is made, as determined under IC 6-1.1-18.5-3, to reflect the change from provision of fire protection under a contract between the municipality and the county to imposition by the county of a property tax levy on the taxable property located within the corporate boundaries of each municipality. Each municipality's maximum permissible ad valorem property tax levy shall be reduced by the amount of the municipality's property tax levy that was imposed by the municipality to meet the obligations to the county under the fire protection contract. The county's maximum permissible ad valorem property tax levy shall be increased by the product of:

(1) the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year; multiplied by

(2) the amount the county received:

(A) in the year in which the election is made; and

(B) as fire protection contract payments from all municipalities whose levy is decreased under this section.

(b) For purposes of determining a county's or municipality's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5-3 for years following the first year after the year in which the election is made, a county's or municipality's maximum permissible ad valorem property tax levy is the levy after the

adjustment made under subsection (a).

Sec. 9. After a sufficient appropriation has been made and approved and is available for the purchase of firefighting apparatus and equipment, including housing, the county executive, with the approval of the county fiscal body, may purchase firefighting apparatus and equipment for the county on an installment conditional sale or mortgage contract running for a period not exceeding:

(1) six (6) years; or

(2) fifteen (15) years for a county that is purchasing the firefighting equipment with funding from the:

(A) state or its instrumentalities; or

(B) federal government or its instrumentalities.

The purchase must be amortized in equal or approximately equal installments payable on January 1 and July 1 each year.

Sec. 10. (a) Subject to section 11 of this chapter and subject to approval of the county fiscal body, the county executive, on behalf of the county, also may borrow the money necessary to make a purchase of firefighting apparatus and equipment from a financial institution in Indiana on the terms described in section 9 of this chapter. The county executive shall, on behalf of the county, execute and deliver to the institution the negotiable note or bond of the county for the sum borrowed. The note or bond must bear interest, with both principal and interest payable in equal or approximately equal installments on January 1 and July 1 each year over a period not exceeding six (6) years.

(b) The first installment of principal and interest on a contract, chattel mortgage, note, or bond is due on the next January 1 or July 1 following the first tax collection for which it is possible for the county to levy a tax. The county fiscal body shall levy a tax each year sufficient to pay the obligation according to its terms and shall appropriate the proceeds of the tax for this purpose. An obligation of the county executed under this chapter is a valid and binding obligation of the county.

Sec. 11. (a) If the county executive determines that money should be borrowed under section 10 of this chapter, not less than ten (10) taxpayers in the county who disagree with the determination may file a petition in the office of the county auditor not more than thirty (30) days after notice of the determination is given. The petition must state the taxpayers' objections and the reasons why the taxpayers believe the borrowing to be unnecessary or unwise.

(b) The county auditor shall immediately certify a copy of the petition, together with other data necessary to present the questions involved, to the department of local government finance. Upon receipt of the certified petition and other data, the department of local government finance shall fix a date, time, and place for the hearing of the matter. The hearing shall be held not less than five (5) days and not more than thirty (30) days after the receipt of the certified documents.

(c) The hearing must be held in the county where the petition arose.

(d) Notice of the hearing shall be given by the department of local government finance to the county and to the first ten (10) petitioners listed on the petition by letter. The letter shall be sent to each of the first ten (10) petitioners at the petitioner's usual place of residence at least five (5) days before the date of the hearing.

(e) A:

(1) taxpayer who signed a petition filed under subsection (a); or

(2) county against which a petition under subsection (a) is filed;

may petition for judicial review of the final determination of the department of local government finance under this section. The petition must be filed in the tax court not more than forty-five (45) days after the date of the department's final determination.

Sec. 12. (a) All purchases of firefighting apparatus and equipment under this chapter shall be made in the manner provided by statute for the purchase of county supplies. If the amount involved is sufficient to require notice under statutes for bids in connection with the purchase of apparatus or equipment, the notice must offer all bidders the opportunity of proposing to sell the apparatus or equipment to the county upon a conditional sale or mortgage contract.

(b) A bidder proposing to sell on a conditional sale or mortgage contract shall state in the bidder's bid the proposed interest rate and terms of the conditional sale or contract, to be considered by the county executive and legislative body in determining the best bid received.

(c) All bids submitted must specify the cash price at which the bidder proposes to sell the apparatus or equipment to the county so that the executive and legislative body may determine whether it is in the best interest of the county to purchase the apparatus or

equipment on the terms of a conditional sale or mortgage contract proposed by the bidder or to purchase the apparatus or equipment for cash if sufficient funds are available or can be raised by negotiating a loan with a financial institution in accordance with section 10 of this chapter.

Sec. 13. A county having a regularly organized fire department employing full-time firefighters may procure at the county's expense:

(1) an insurance policy for each member of the fire department insuring the member against loss of life or dismemberment while in the performance of regularly assigned duties; and

(2) group insurance providing supplemental income protection for a member of the fire department who has been injured during the course of employment.

The insurance coverage shall be selected with the consent of the members and is supplemental to other benefits provided to an injured member by law.

Sec. 14. (a) A county shall pay the expenses, as described in subsection (b), necessary for the care of a full-time paid firefighter who:

(1) suffers an injury; or

(2) contracts an illness;

during the performance of the firefighter's duty.

(b) The county shall pay for the following expenses incurred by a firefighter described in subsection (a):

(1) Medical and surgical care.

(2) Medicines and laboratory, curative, and palliative agents and means.

(3) X-ray, diagnostic, and therapeutic services, including during the recovery period.

(4) Hospital and special nursing care if the physician or surgeon in charge considers it necessary for proper recovery.

(c) Expenditures required by subsection (a) shall be paid from the county firefighting fund established under section 5 of this chapter.

(d) A county that has paid for the care of a firefighter under subsection (a) has a cause of action for reimbursement of the amount paid under subsection (a) against any third party against whom the firefighter has a cause of action for an injury sustained because of, or an illness caused by, the third party. The county's cause of action under this subsection is in addition to, and not in

lieu of, the cause of action of the firefighter against the third party.

Sec. 15. Notwithstanding section 5 of this chapter, a county fiscal body may after December 31, 2018, authorize the county executive to borrow a specified sum from a county fund other than the county firefighting fund established under section 5 of this chapter if the county fiscal body finds that an emergency requiring the expenditure of money is related to paying the operating expenses of a county fire department or a volunteer fire department. The county fiscal body shall provide for payment of the debt by imposing a levy to the credit of the fund from which the amount was borrowed under this subsection.

SECTION 233. IC 36-8-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a) Except as provided in subsection (b),** this chapter applies to all units except counties.

(b) After December 31, 2018, this chapter also applies to counties not having a consolidated city. However, a county may, before January 1, 2019, take any action required under this chapter that is necessary to provide for the cumulative building and equipment fund to be established in 2019 and to impose the property tax levy under this chapter beginning in 2019.

SECTION 234. IC 36-8-14-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) As used in this section, "emergency medical services" has the meaning set forth in IC 16-18-2-110.

(b) As used in this section, "volunteer fire department" has the meaning set forth in IC 36-8-12-2.

(c) The legislative body of a unit or the board of fire trustees of a fire protection district may provide a cumulative building and equipment fund under IC 6-1.1-41 for the following purposes:

(1) The:

(A) purchase, construction, renovation, or addition to buildings; or

(B) purchase of land;

used by the fire department or a volunteer fire department serving the unit.

(2) The purchase of firefighting equipment for use of the fire department or a volunteer fire department serving the unit, including making the required payments under a lease rental with option to purchase agreement made to acquire the equipment.

(3) In a municipality, the purchase of police radio equipment.

(4) The:

(A) purchase, construction, renovation, or addition to a building;
(B) purchase of land; or
(C) purchase of equipment;
for use of a provider of emergency medical services under IC 16-31-5 to the unit establishing the fund.

(d) In addition to the requirements of IC 6-1.1-41, before a cumulative fund may be established by a township fire protection district, the county legislative body which appoints the trustees of the fire protection district must approve the establishment of the fund.

(e) This subsection does not apply to a county having a consolidated city. The following apply on January 1, 2019:

(1) A cumulative building and equipment fund is established for each county. The adoption and approval provisions of IC 6-1.1-41 do not apply to the establishment of the fund under this subsection. The provisions of IC 6-1.1-41 concerning the adoption of a tax levy apply to the fund. However, a county may before January 1, 2019, take any action required under this chapter that is necessary to provide for the cumulative building and equipment fund to be established in 2019 and to impose the property tax levy under this chapter beginning in 2019.

(2) Each cumulative building and equipment fund established by a township in the county is abolished, and the balance in the township's cumulative building and equipment fund shall be transferred to the county's cumulative building and equipment fund established under subdivision (1).

SECTION 235. IC 36-8-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) To provide for the cumulative building and equipment fund established under this chapter, the legislative body may levy a tax on all taxable property within the taxing district in compliance with IC 6-1.1-41. The tax rate may not exceed three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of assessed valuation of property in the taxing district.

(b) As the tax is collected, it shall be deposited in a qualified public depository or depositories and held in a special fund to be known as:

(1) the "building or remodeling, firefighting, and police radio equipment fund" in the case of a municipality; or ~~as~~

(2) the "building or remodeling and fire equipment fund" in the case of a township, **a county (after December 31, 2018, in the case of a county not having a consolidated city),** or **a** fire

protection district.

SECTION 236. IC 36-8-19-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.7. (a) This section does not apply to townships in a county having a consolidated city.**

(b) The following apply if a township is a participating unit in a fire protection territory as of January 1, 2019:

(1) Subject to subdivision (2), on January 1, 2019, the county shall assume the powers, duties, rights, responsibilities, and obligations under this chapter previously held by the township that was a participating unit.

(2) A county legislative body may withdraw as otherwise provided in this chapter from the fire protection territory, as specified in the county fire protection and emergency services plan.

(3) The department of local government finance shall make any necessary adjustments to the maximum permissible ad valorem property tax levy for the county firefighting fund to account for any transfer of powers, duties, rights, responsibilities, and obligations under this section.

SECTION 237. IC 36-8-19-8, AS AMENDED BY P.L.183-2014, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) Upon the adoption of identical ordinances or resolutions, or both, by the participating units under section 6 of this chapter, the designated provider unit must establish a fire protection territory fund from which all expenses of operating and maintaining the fire protection services within the territory, including repairs, fees, salaries, depreciation on all depreciable assets, rents, supplies, contingencies, and all other expenses lawfully incurred within the territory shall be paid. The purposes described in this subsection are the sole purposes of the fund, and money in the fund may not be used for any other expenses. Except as allowed in subsections (d) and (e) and section 8.5 of this chapter, the provider unit is not authorized to transfer money out of the fund at any time.

(b) The fund consists of the following:

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

(2) Any money transferred to the fund by the provider unit as authorized under subsection (d).

(3) Any receipts from a false alarm fee or service charge imposed by the participating units under IC 36-8-13-4 **or IC 36-8-13.7-7.**

(4) Any money transferred to the fund by a participating unit under section 8.6 of this chapter.

(c) The provider unit, with the assistance of each of the other participating units, shall annually budget the necessary money to meet the expenses of operation and maintenance of the fire protection services within the territory. The provider unit may maintain a reasonable balance, not to exceed one hundred twenty percent (120%) of the budgeted expenses. Except as provided in IC 6-1.1-18.5-10.5, after estimating expenses and receipts of money, the provider unit shall establish the tax levy required to fund the estimated budget. The amount budgeted under this subsection shall be considered a part of each of the participating unit's budget.

(d) If the amount levied in a particular year is insufficient to cover the costs incurred in providing fire protection services within the territory, the provider unit may transfer from available sources to the fire protection territory fund the money needed to cover those costs. In this case:

(1) the levy in the following year shall be increased by the amount required to be transferred; and

(2) the provider unit is entitled to transfer the amount described in subdivision (1) from the fund as reimbursement to the provider unit.

(e) If the amount levied in a particular year exceeds the amount necessary to cover the costs incurred in providing fire protection services within the territory, the levy in the following year shall be reduced by the amount of surplus money that is not transferred to the equipment replacement fund established under section 8.5 of this chapter. The amount that may be transferred to the equipment replacement fund may not exceed five percent (5%) of the levy for that fund for that year. Each participating unit must agree to the amount to be transferred by adopting an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township) that specifies an identical amount to be transferred.

(f) The tax under this section is subject to the tax levy limitations imposed under IC 6-1.1-18.5-10.5.

SECTION 238. IC 36-10-7-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1. 5. (a) This section applies only after December 31, 2018.**

(b) Any reference in this chapter to "township board", in the case of a county not having a consolidated city, is considered a reference to the county fiscal body.

(c) In a county not having a consolidated city:

(1) the powers and duties of a township trustee concerning

parks and recreation under this chapter are transferred to the county executive; and

(2) any reference in this chapter to "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter.

SECTION 239. IC 36-10-7-6, AS AMENDED BY P.L.73-2005, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) This section applies to all townships having a population of at least eight thousand five hundred (8,500) that contain a town.

(b) The township executive may do the following in relation to township parks:

(1) Purchase, acquire by eminent domain, accept by grant, devise, bequest, or other conveyance, or otherwise acquire land within the township for park purposes.

(2) Make necessary improvements on the land.

(3) Maintain and operate the land.

(4) Dispose of all or part of the land that is unnecessary for the park or park purposes.

(c) If the executive decides to acquire land for park purposes under this section, the following procedures apply:

(1) A resolution to that effect shall be adopted by the legislative body and shall be entered upon the minutes of the legislative body. The resolution must be signed by the members of the legislative body and by the executive.

(2) Upon a petition signed in ink by at least one hundred (100) resident taxpayers and freeholders of the township, the executive shall, after the adoption of the resolution, fix a day not less than fifteen (15) nor more than twenty (20) days after adoption during which time remonstrances may be filed with the executive against the resolution.

(3) The executive shall give notice by publication of the resolution and of the time limits for filing remonstrances in accordance with IC 5-3-1.

(4) Remonstrances must be signed in ink and shall be filed not later than the day fixed for the expiration of the time for filing remonstrances in the notices.

(5) If the number of signers of remonstrances exceeds the number of signers who have signed the original petition, determined by the same qualifications, the executive may give notice, in accordance with IC 5-3-1, of a date by which time a supplementary petition containing the names of qualified signers

in addition to the names signed to the first petition may be filed asking for acquisition.

(6) A supplemental petition must be signed in ink by signers having the same qualifications as required for the original petition.

(7) If, after the expiration of the period for filing a supplemental petition, it is determined that the number of qualified signers to the original petition and the supplemental petition exceeds the number of signers to the remonstrance, the executive may proceed with the acquisition of land and the improvement and operation of it.

(8) If the number signing the remonstrance is greater than the number signing the original and supplemental petition, then the township may not proceed with the improvement.

However, the remonstrance does not prevent the acquisition of land or inhibit the power of the executive to acquire parkland unless at least twenty percent (20%) of the resident freeholders who are also legal voters execute the remonstrance. Only the executive and the legislative body may determine the sufficiency of a petition or remonstrance and the qualifications of a signer. These matters are subject to review only for fraud.

(d) The executive may acquire any property, land, privilege, immunities, or other species of interest reasonably necessary for the park or for the purpose of improving, maintaining, or operating it. The executive may sue in the name of the township for the condemnation of any property, land, privilege, immunities, or other species of interest in accordance with statutes available to municipal corporations for condemnation.

(e) To provide money for any of the purposes of this section, the legislative body may authorize the executive to issue the bonds of the township. However, the total bonds issued and outstanding at any time for such purposes may not exceed ninety thousand dollars ($90,000). The bonds may bear interest at any rate, may be made payable semiannually, shall be sold for at least their par value, and run for a period of not less than ten (10) nor more than twenty (20) years. Parts of the total issue may be sold from time to time as the executive determines. After the authorization of the bonds, the executive shall, in accordance with IC 5-3-1, publish notice of that part of the bonds that will be sold at that time. The notice must state the amount of bonds offered, the denomination, the period to run, the rate of interest, and the date, place, and hour of sale. No part of the bonds may be sold except after notice.

(f) The legislative body shall levy annually a sufficient tax to pay at least the principal and interest of bonds that will mature in the following year, and the executive shall apply the tax to the payment of bonds and interest. The tax levy is in addition to other tax levies. The tax shall be levied and collected on all property within the boundaries of the township, including municipalities. The cost of the care, upkeep, repair, maintenance, and improvement of the park shall be paid out of the general fund of the township, and the legislative body shall increase the levy of the fund each year by an amount sufficient to provide the money to maintain the park.

(g) The executive shall direct the expenditure of the money raised by the bond issue to save money that otherwise would be expended for ~~township~~ **local** assistance. The executive may offer persons who are able-bodied and capable of work the opportunity to work upon the park improvement. If a person refuses without good excuse, the executive shall consider the refusal prima facie evidence that the person is not entitled to ~~township~~ **local** assistance.

SECTION 240. IC 36-10-7.5-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.4. (a) After December 31, 2018, any reference in this chapter to "township board", in the case of a county not having a consolidated city, is considered a reference to the county fiscal body.**

(b) After December 31, 2018, in a county not having a consolidated city:

(1) the powers and duties of a township trustee concerning parks and recreation under this chapter are transferred to the county executive;

(2) any reference in this chapter to "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter; and

(3) this chapter does not apply to a township located in the county.

SECTION 241. IC 36-12-1-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 7.5. (a) After December 31, 2018, any reference in this chapter to "township board", in the case of a county not having a consolidated city, is considered a reference to the county fiscal body.**

(b) After December 31, 2018, in a county not having a consolidated city:

(1) the powers and duties of a township trustee concerning public libraries, library districts, or provision or receipt of library services by contract under this article are transferred to the county executive;

(2) any reference in this article to "township trustee" or "trustee" is considered a reference to the county executive or the county executive's designee to administer this chapter;

(3) all responsibilities and obligations of a township government with respect to a public library, a library district, or provision or receipt of library services by contract are assumed by the county; and

(4) the elimination of township government under IC 36-6-1.2 does not terminate a public library, library district, or contract for provision or receipt of library services in existence on December 31, 2018.

SECTION 242. IC 36-12-1-13, AS AMENDED BY P.L.119-2012, SECTION 247, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. ~~A township trustee~~ **An administrator** of a township that is:

(1) located in a county having a population of more than thirty-four thousand three hundred (34,300) but less than thirty-five thousand (35,000); and

(2) not served by a public library;

may pay the cost of a library card at the nearest library for a resident of the township upon request of the resident. **This section expires January 1, 2019.**

SECTION 243. [EFFECTIVE JULY 1, 2015] **(a) The legislative services agency shall prepare, as directed by the legislative council, legislation for introduction in the 2016 regular session of the general assembly to organize and correct statutes affected by this act, if necessary.**

(b) This SECTION expires July 1, 2017.