

PROPOSED AMENDMENT

HB 1427 # 31

DIGEST

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

- 1 Replace the effective dates in SECTIONS 1 through 2 with
- 2 "[EFFECTIVE JANUARY 1, 2026]".
- 3 Page 1, between the enacting clause and line 1, begin a new
- 4 paragraph and insert:
- 5 "SECTION 1. IC 5-1-11-1, AS AMENDED BY P.L.236-2023,
- 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2025]: Sec. 1. (a) Except as otherwise provided in this chapter
- 8 or in the statute authorizing their issuance, all bonds issued by or in the
- 9 name of counties, townships, cities, towns, school corporations, and
- 10 special taxing districts, agencies or instrumentalities thereof, or by
- 11 entities required to sell bonds pursuant to this chapter, whether the
- 12 bonds are general obligations or issued in anticipation of the collection
- 13 of special taxes or are payable out of revenues, may be sold:
- 14 (1) at a public sale; or
- 15 (2) alternatively, at a negotiated sale after June 30, 2018, and
- 16 before July 1, ~~2025~~, **2027**, in the case of:
- 17 (A) counties;
- 18 (B) townships;

- (C) cities;
- (D) towns;
- (E) taxing districts;
- (F) special taxing districts; and
- (G) school corporations.

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

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

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

- (1) at a public sale as provided in this chapter; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~, **2027**, in the case of:

- (A) counties;
- (B) townships;
- (C) cities;
- (D) towns;
- (E) taxing districts;
- (F) special taxing districts; and
- (G) school corporations.

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

Page 11, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 11. IC 6-1.1-18.5-31.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31.5. (a) This section applies only to Shelby County.**

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

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

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes first due and payable in 2025; and

(2) the county's ad valorem property tax levy as certified by the department of local government finance for property taxes first due and payable in 2025.

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

(e) This section expires June 30, 2028.

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

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

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

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

9 (1) the lesser of:

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

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

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

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

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

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

26 (1) except as provided in subsection (h), mail to the last known
27 address of each person liable, **as described in subsection (o)**, for
28 any property taxes or special assessment, as shown on the tax
29 duplicate or special assessment records, or to the last known
30 address of the most recent owner shown in the transfer book; and
31 (2) transmit by written, electronic, or other means to a mortgagee
32 maintaining an escrow account for a person who is liable for any
33 property taxes or special assessments, as shown on the tax
34 duplicate or special assessment records;

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

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

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

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

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

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

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

(9) A checklist that shows:

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (A) Section 9 of this chapter.

27 (B) Section 9.7 of this chapter.

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

30 (4) Any other information that:

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

32 (B) would otherwise be sent:

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

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

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

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

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

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

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

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

(A) with the county treasurer; or

(B) with the county auditor; and

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

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

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

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

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

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

(A) Exercise the option.

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

(C) Terminate the option.

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

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

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

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

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

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

(2) The information included in the statement.

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

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

(1) in person;

(2) by mail; or

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

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

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

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

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

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

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

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

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

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

Page 13, delete lines 38 through 42.

Delete pages 14 through 15.

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

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

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

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

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

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

(5) The right of:

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

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

(6) The sale of bonds at:

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

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

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

(1) at a public sale; or

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

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

(1) not less than par value;

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

(3) any rate or rates of interest determined by the bidding.

(c) This subsection does not apply to bonds for which a school corporation:

(1) after June 30, 2008, makes a preliminary determination as described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as described in IC 6-1.1-20-5; or

(2) in the case of bonds not subject to IC 6-1.1-20-3.1, IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or ordinance authorizing the bonds after June 30, 2008.

If the net interest cost exceeds eight percent (8%) per year, the bonds must not be issued until the issuance is approved by the department of local government finance.

SECTION 18. IC 36-2-2-4, AS AMENDED BY P.L.201-2023, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) This subsection does not apply to the following counties:

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

(2) A county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000).

The executive shall divide the county into three (3) districts that are composed of contiguous territory and are reasonably compact. The district boundaries drawn by the executive must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting under this section. If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts.

(b) This subsection applies to a county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

(1) the members of the Indiana election commission;

(2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and

(3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

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

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

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

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

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

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

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

- (1) adopted under subsection (e); or
- (2) recertified under subsection (f).

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

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

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

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

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

- 15 (1) the county as provided in Article 6, Section 6 of the
- 16 Constitution of the State of Indiana; and
- 17 (2) the district from which the member was elected.

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

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

- 23 (1) more than ~~four hundred thousand (400,000)~~ **four hundred**
- 24 **fifty thousand (450,000)** and less than seven hundred thousand
- 25 (700,000); or
- 26 (2) more than one hundred eighty-five thousand (185,000) and
- 27 less than three hundred thousand (300,000) that opts in to the
- 28 system of county government as described in section 4(c) of this
- 29 chapter;

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

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

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

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

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

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

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

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

(1) hold all required hearings;

(2) adopt all necessary resolutions; and

(3) appropriate the proceeds of the bonds;

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

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

(1) be dated;

(2) be issued in any denomination;

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

(4) be payable at any bank or banks;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) the right of:

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

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

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

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

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

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

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

apply to the issuance of bonds under this section.

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

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

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

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

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

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

(2) the right of:

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

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

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

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

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

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

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

2027;

are applicable to the issuance of bonds under this section.

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

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

- (1) at a public sale for not less than the par value; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and
 before July 1, ~~2025~~: **2027**.

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

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

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

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

- (1) at public sale for not less than the par value; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and
 before July 1, ~~2025~~: **2027**.

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

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

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

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

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

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

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

17 **(g) The property tax rate and levy imposed under this chapter:**

18 **(1) must be certified by the department of local government**
19 **finance under IC 6-1.1-17-16; and**

20 **(2) are not considered part of the maximum permissible ad**
21 **valorem property tax levy under IC 20-46-8-1 for the school**
22 **corporation's operations fund.**

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

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1427 as introduced.)