

# Local Public Question/Referendum Process\*

for bond issue or lease rental with a preliminary determination after April 30, 2011.

The local public question/ referendum process only applies to the following controlled projects:

- An elementary school building, middle school building, high school building, or other school building for academic instruction that will be used for any combination of kindergarten through grade 12 and will cost more than \$10,000,000.

- Any other controlled project that will cost the political subdivision more than the lesser of \$12,000,000 or 1% of the total gross AV of property within the political subdivision on the last assessment date, if that amount is at least \$1,000,000.

IC 6-1.1-20-3.5(a) (1)

A political subdivision may adopt a resolution to place a referendum on the ballot instead of going through the petition and remonstrance process. A resolution must be adopted by the date of the preliminary determination and must be certified to the county election board in each county where the political subdivision is located.

IC 6-1.1-20-3.8

\*Taxing units with appointed boards, such as libraries, must first receive approval of city, town or county fiscal body (whichever is applicable) before issuing bonds or entering into lease rental agreements.

The city, town or county fiscal body approval would occur prior to the preliminary determination hearing in these cases.

IC 6-1.1-17-20.5

\*\*If a primary, general, or municipal election will not be held during the first year the public question is eligible to be placed on the ballot and the political subdivision requests the question be placed on the ballot at a special election, the question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon 74 days before a special election to be held in May or noon on August 1 if the special election is to be held in November.

The fiscal body of the political subdivision that requests the special election shall pay the costs of holding the election.

The county election board must publish notice one time, at least 10 days before the date of the special election. The special election is under the direction of the county election board, which must take all steps necessary to carry out the special election.

IC 6-1.1-20-3.6(e); IC 5-3-1-2(c)

