

2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 5 - SENATE ENROLLED ACT 4 – EFFECTIVE MAY 4, 2015 and JULY 1, 2015**
- **TECHNICAL CORRECTIONS** – Makes corrections to several sections of the Indiana Code.
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- **PUBLIC LAW 8 - SENATE ENROLLED ACT 265 – EFFECTIVE JULY 1, 2015**
- **PURCHASE OF SERVICE CREDIT – PERF** – Amends IC 5-10-5.5-7.5, IC 5-10.3-7-4.5, IC 5-10.3-7-4.6, Adds IC 5-10.3-7-4.7, Amends IC 5-10.3-7-4.8, IC 5-10.3-7-5, IC 5-10.4-4-4, IC 5-10.4-4-5, IC 5-10.4-4-6, IC 5-10.4-4-8, IC 36-8-8-8.3, IC 36-8-8-8.5, IC 36-8-8-8.8 - Permits a member of the Public Employees' Retirement Fund (PERF) to purchase at full actuarial cost the member's prior service in the 1977 Police Officers' and Firefighters' Pension and Disability Fund (1977 Fund). Requires the board of trustees of the Indiana Public Retirement System to transfer from the 1977 Fund to PERF the member's contributions and the present value of the unreduced benefit payable upon retirement that is attributable to the member. Requires the transferred amounts to be credited against the contributions required to purchase the member's prior 1977 Fund service. Permits the member's employer to pay all or a part of the member's contributions required for the purchase of the member's prior 1977 Fund service. Provides that credit in the 1977 Fund for the service that is purchased is waived. Makes a technical correction to service purchase provisions of public pension and retirement funds.

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- **PUBLIC LAW 10 - SENATE ENROLLED ACT 429 – EFFECTIVE JULY 1, 2015**
- **LAKE COUNTY ZONING** – Amends IC 36-7-4-918.6 and IC 36-7-4-1101
Allows Lake County to adopt the area planning law. Makes a provision regarding legislative body approval of special exceptions, special uses, and use variances apply to a city or town in Lake County (instead of Lake County).
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- **PUBLIC LAW 29 - SENATE ENROLLED ACT 35 – EFFECTIVE JULY 1, 2015**
- **SPEED LIMITS IN SCHOOL ZONES** – Amends IC 9-21-5-6 - Provides that a city or town may establish a speed limit of not less than 20 miles per hour on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city or town. Removes outdated language.
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- **PUBLIC LAW 30 - SENATE ENROLLED ACT 216 – EFFECTIVE JULY 1, 2015**
- **ST. JOSEPH RIVER BASIN COMMISSION** – Amends IC 5-14-1.5-3.6, Adds IC 14-30-3-15.5 Allows members of the St. Joseph River Basin Commission (Commission) and the Commission's executive board that participate in a meeting by electronic means of communication to be counted for purposes of a quorum and to vote. Requires the following for an electronic meeting to take place:
 1. At least 1/3 of the members must be physically present at the meeting location.
 2. All votes must be taken by roll call vote.
- Allows the commission to adopt a policy to govern participation in electronic meetings.
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- **PUBLIC LAW 31 - SENATE ENROLLED ACT 309 – EFFECTIVE APRIL 17, 2015**
- **ELECTRICITY SUPPLIERS' SERVICE AREAS** - Amends IC 8-1-2.3-6 - Provides that after May 19, 2015, a municipality that:
 1. owns and operates an electric utility; and
 2. annexes an area beyond the assigned service area of its municipally owned electric utility; may not petition the Indiana Utility Regulatory Commission (IURC) to change the assigned service area of the municipally owned electric utility to include the annexed area according to certain procedures permitted under current law.
- Provides that the prohibition does not affect a petition that is:
 1. filed with the IURC before May 20, 2015, according to the procedures permitted under current law; and
 2. pending before the commission on May 20, 2015.

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- **PUBLIC LAW 34 - SENATE ENROLLED ACT 489 – EFFECTIVE JULY 1, 2015**
- **STATE BOARD OF ACCOUNTS ISSUES** – Adds IC 5-11-1-28.2, Adds IC 5-11-1-29 - Provides that the State Board of Accounts has access to any periodic statement of condition filed by a depository with the Treasurer of State. Provides that a vendor upon request shall allow the State Board of Accounts to access all software and records of computer services that a vendor has supplied to a political subdivision. Defines a vendor as a person who supplies electronic goods, software, or technological services (including computer services) to a political subdivision.

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- **PUBLIC LAW 41 - SENATE ENROLLED ACT 2 – EFFECTIVE JULY 1, 2015**
- **SERVICE OF PROCESS** – Amends IC 33-32-2-10 - Specifies that "registered or certified mail" includes any means of delivery that provides a return receipt. Provides that the cost of service to not more than two parties may be paid from court fees. Requires a person who requests a circuit court clerk to send an additional mailing by registered or certified mail to provide:
 1. an addressed envelope with postage prepaid;
 2. the United States Postal Service or other forms for registered or certified mail; and
 3. the United States Postal Service fee or other fee for service by registered or certified mail.
- **PUBLIC LAW 44 - SENATE ENROLLED ACT 80 – EFFECTIVE APRIL 23, 2015**
- **TAXATION OF INTERNET ACCESS** – Adds IC 6-10 - Provides that neither the state nor a political subdivision may impose, assess, collect, or attempt to collect a tax on Internet access or the use of Internet access.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 45 - SENATE ENROLLED ACT 177 – EFFECTIVE APRIL 23, 2015**
- **WATER AND WASTEWATER INFRASTRUCTURE COSTS** – Amends IC 8-1-31-13 - Amends the law on distribution system improvement charges to allow the Indiana Utility Regulatory Commission (IURC) to approve the petition of a public utility providing water or wastewater service for an adjustment of the public utility's basic rates and charges to provide for recovery of infrastructure improvement costs if the total adjustment revenues produced by approving the petition would not exceed 10% of the public utility's base revenue level approved by the IURC in the public utility's most recent general rate proceeding.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 52 - SENATE ENROLLED ACT 394 – EFFECTIVE JULY 1, 2015**
- **REPORTING OF GOVERNMENT MALFEASANCE** – Amends IC 5-11-1-9.5 Provides for confidentiality and relief for an individual who reports certain suspected violations of law by local public officers.
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- **PUBLIC LAW 82 - SENATE ENROLLED ACT 383– EFFECTIVE APRIL 29, 2015**
- **AUTOCYCLES AND MOTORCYCLES** – Adds IC 9-13-2-6.1, Amends IC 9-13-2-108, IC 9-19-7-1, IC 9-19-7-2, IC 9-21-3-7, IC 9-21-10-3, IC 9-21-10-4, IC 9-21-10-6, IC 9-21-10-7, Adds IC 9-24-8-0.5, Amends 9-24-10-4 - Defines autocycle for purposes of the motor vehicle code; provides that an autocycle is a motorcycle. Removes the requirement that the handlebars of a motorcycle or a motor driven cycle rise not higher than the shoulders of the driver when the driver is seated. Provides that the operator of or a passenger on an autocycle who is less than 18 years of age is not required to wear a helmet or protective face equipment. Regulates the operation of autocycles.

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- **PUBLIC LAW 87 - SENATE ENROLLED ACT 567 – EFFECTIVE JANUARY 1, 2016**
- **REDEVELOPMENT COMMISSIONS AND AUTHORITIES** – Amends IC 36-7-14-8, IC 36-7-14-13, IC 36-7-14-39, IC 36-7-14-48, IC 36-7-14-52, IC 36-7-14-5-9, IC 36-7-15.1-26, IC 36-7-15.1-35, IC 36-7-15.1-36.3, IC 36-7-15.1-53, IC 36-7-15.1-62
Requires a Redevelopment Commission or Redevelopment Authority to hold an organizational meeting on a day that is not a Saturday, a Sunday, or a legal holiday and that is their first meeting day of the year. Provides that the fiscal officer of a Redevelopment Commission may disburse funds only after the disbursement is approved by the Redevelopment Commission. Allows a Redevelopment Commission to specify types of disbursements that the fiscal officer may make in advance of the commission's approval at its next regular meeting. Requires the treasurer of a Redevelopment Commission to report annually to the Redevelopment Commission before April 1 (rather than reporting to the fiscal body of the unit before July 1, under current law). Requires the treasurer of a Redevelopment Authority to report annually to the redevelopment authority before April 1 (rather than reporting to the fiscal body of the unit before July 1, under current law). Requires Redevelopment Commissions and Redevelopment Authorities to report annually to the unit's executive and fiscal body and the Department of Local Government Finance before April 15. Specifies that certain information currently reported annually by Redevelopment Commissions before August 1 shall instead be included with the April 15 report. Specifies information to be included in the annual report of a Redevelopment Authority.

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- **PUBLIC LAW 91 - SENATE ENROLLED ACT 474 – EFFECTIVE APRIL 30, 2015**
- **ANALYSIS OF WATER UTILITY PLANNING AND NEEDS** - Requires the Indiana Finance Authority (Authority) to prepare an analysis of the planning and long range needs of:
 1. the water utilities serving the 15 most populous cities in Indiana; and
 2. five other water utilities selected by the authority, each of which serves fewer than 10,000 customers.
- Authorizes the Authority to contract with professionals or with a state educational institution for the performance of some or all of the authority's duties relating to the analysis. Requires the Authority to complete the analysis and submit it to the legislative council not later than November 1, 2015. For calendar year 2015, relieves the Indiana Utility Regulatory Commission of the duty to submit an annual report concerning water utilities to the legislative council and the interim study committee on energy, utilities, and telecommunications.

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- **PUBLIC LAW 109 - SENATE ENROLLED ACT 199 – EFFECTIVE JULY 1, 2015**
- **SUBSTANTIVE PROBLEMS IN THE INDIANA CODE** – Amends IC 33-35-1-3, IC 36-5-2-3, and IC 36-5-6-3 – Provides for certain elected officials and terms of office.
- **Sec. 48** - Applies to a town that adopts an ordinance under IC 3-10-7-2.9. The term of office of:
 1. a judge elected in the first election cycle after adoption of the ordinance is the term of office provided by the ordinance, not to exceed four (4) years; and
 2. the successors of the judge described in subdivision (1) is four (4) years.
- **Sec. 60** - The term of office of a member of a legislative body subject to an ordinance described by IC 3-10-7-2.9 is:
 1. the term of office provided by the ordinance, not to exceed four (4) years, for a member of the legislative body elected in the first election cycle after adoption of the ordinance; and
 2. four (4) years for the successors of the member of a legislative body described in subdivision (1).
- **Sec. 61** - The term of office of a clerk-treasurer subject to an ordinance described by IC 3-10-7-2.9 is:
 1. the term of office provided by the ordinance, not to exceed four (4) years, for the clerk-treasurer elected in the first election cycle after adoption of the ordinance; and
 2. four (4) years for the successors of the clerk-treasurer described in subdivision (1).

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- **PUBLIC LAW 114 - SENATE ENROLLED ACT 336 – EFFECTIVE JULY 1, 2015**
- **LIBRARY BOARD APPOINTMENTS** - Amends IC 36-12-2-13 - Provides that if a library district located in one township and part of a municipality expands to include two additional townships that are located only within the municipality, the library board members shall continue to be appointed as they were before the expansion (by the municipality and by the township only partially located within the municipality).

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- **PUBLIC LAW 120 - SENATE ENROLLED ACT 514 – EFFECTIVE JULY 1, 2015**
- **VACANCY IN OFFICE OF CLERK-TREASURER** – Amends IC 3-13-9-3, IC 5-9-4-8, Adds IC 36-5-6-9 - Provides that if a town legislative body is unable to fill a vacancy in the office of town Clerk-Treasurer, a town legislative body member may serve ex officio as the town Clerk-Treasurer for the remainder of the Clerk-Treasurer's term. Provides that the town legislative body member may not receive additional compensation for serving as the ex officio town Clerk-Treasurer. Provides that the duties assumed by the town legislative body member are duties of the office of town legislative body member and do not constitute a second lucrative office. Allows the town legislative body to enter into an Interlocal Agreement with another town Clerk-Treasurer to assist the town legislative body member in performing the Clerk-Treasurer's duties for the remainder of the Clerk-Treasurer's term. Provides that if an Interlocal Agreement cannot be reached, the town legislative body may contract with a certified public accountant to assist the town legislative body member in performing the duties of the Clerk-Treasurer for the remainder of the term of the Clerk-Treasurer.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 121 - SENATE ENROLLED ACT 515 – EFFECTIVE JULY 1, 2015**
- **ALCOHOLIC BEVERAGE PERMITS** – Adds IC 7.1-3-19-17, Amends IC 7.1-3-20-16 and IC 14-18-2-3 – Provides that if a local unit has adopted an ordinance requiring a formal written commitment as a condition of eligibility for an alcoholic beverage permit, as a condition of eligibility for a permit, the applicant must enter into a formal written commitment with the municipal legislative body regarding the character or type of business that will be conducted on the permit premises. The municipal legislative body must adopt an ordinance approving the formal written commitment. When an application for renewal of a permit is filed, the applicant shall forward a copy of the application to the municipal legislative body. The municipal legislative body shall receive notice of any filings, hearings, or other proceedings on the application for renewal from the applicant.
- **PUBLIC LAW 122 - SENATE ENROLLED ACT 530 – EFFECTIVE JULY 1, 2015**
- **PUBLIC NOTICE IN A NEWSPAPERS** – Amends IC 5-3-1-0.4 and IC 5-3-1-2 Adds a provision requiring a certain average circulation to the definition of "newspaper" for purposes of the statute concerning notice publication. Removes a duplicative provision from the publication statute that prescribes a publication procedure if another specific publication procedure does not apply to an event. Removes from the publication statute two provisions that have expired.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 169 - SENATE ENROLLED ACT 466 – EFFECTIVE VARIOUS DATES**
- **VARIOUS ELECTION MATTERS** – Provides that the election division, rather than the Indiana Election Commission, approves a uniform set of election and registration forms for use throughout Indiana. Provides that a person who is physically present in a precinct for a temporary purpose does not gain residency in the precinct. Permits voter conversations and communications, including the use of cellular telephones and other electronic devices, in the polls as long as loud and disruptive conversations and electioneering do not occur. Prohibits a voter from taking a digital image or photograph of the voter's ballot except to document and report to a precinct election officer, county election board, or the division a problem with the functioning of the voting system. Prohibits distributing or sharing a digital image or photograph of a voter's ballot using social media or other means. Eliminates the rule that a vote cast for a deceased candidate in a primary election is void, and provides that if a deceased candidate receives the most votes in a primary election, a candidate vacancy occurs that the candidate's party may fill. Requires the State Recount Commission to conduct a recount resulting from a statewide public question. Provides that the statute prohibiting the use of an automatic dialing-announcing device does not apply to messages to voters from a County Election Board, a County Board of Elections and Registration, or a County Voter Registration Office. Requires certain information to be filed with the election division concerning judicial elections in Allen County, Monroe County, and Vanderburgh County.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 171 - SENATE ENROLLED ACT 528 – EFFECTIVE JULY 1, 2015**
- **PRESERVATION OF PUBLIC RECORDS** – Amends IC 5-4-1-18, IC 5-15-1-1, IC 5-15-5.1-1, IC 5-15-5.1-3, IC 5-15-5.1-5, IC 5-15-5.1-6, IC 5-15-5.1-10, IC 5-15-5.1-12, IC 5-15-5.1-13, IC 5-15-5.1-14, IC 5-15-5.1-15, IC 5-15-5.1-17, IC 5-15-6-1, IC 5-15-6-1.5, IC 5-15-6-3, and IC 5-15-6-4 - Changes the name of the State Commission on Public Records to the Indiana Archives and Records Administration (Administration). Specifies that the Administration administers the law regarding preservation of public records for political subdivisions. Requires a County Commission of Public Records to notify the Administration within 30 days after selecting a chairman or secretary of the County Commission. Requires a state agency to submit a recommended retention schedule to the Administration (instead of to the Oversight Committee on Public Records). Provides that a political subdivision has the duties and responsibilities of a state agency under the law regarding preservation of public records. Requires the Administration, with the approval of the Oversight Committee on Public Records, to advise the Office of Technology with respect to records management and archival principles as applicable to the purchase of electronic content and information management systems.

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- **PUBLIC LAW 203 - SENATE ENROLLED ACT 251 – EFFECTIVE JULY 1, 2015**
- **CONTROLLED PROJECTS** - Adds IC 6-1.1-20-0.7, Amends IC 6-1.1-20-3.1 and IC 6-1.1-20-3.6 Provides that for purposes of determining whether a capital project by a political subdivision located in Hamilton County, other than a school corporation, is a controlled project for purposes of the petition and remonstrance process or the referendum process, the cost of the project does not include any expenditures that will be paid from money that has accumulated or has been deposited by the political subdivision in a fund. Provides that a person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the Department of Local Government Finance (DLGF) objecting that the political subdivision has artificially divided a capital project into multiple capital projects in order to avoid the petition and remonstrance requirements or the referendum requirements. Requires the DLGF to make a final determination not later than 30 days after receiving the petition.
- **PUBLIC LAW 209 - SENATE ENROLLED ACT 464 – EFFECTIVE JULY 1, 2015**
- **MENTAL HEALTH ISSUES** – Adds IC 33-23-16-24.5 and Amends IC 33-39-1-8 – Sec. 21 - Provides that a problem solving court may require an individual participating in a problem solving court to receive treatment for mental health issues. Sec. 22 – provides for treatment of mental health issues.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 212 - SENATE ENROLLED ACT 516 – EFFECTIVE JULY 1, 2015**
- **UTILITY INFRASTRUCTURE IMPROVEMENTS** – Amends IC 8-1-31-1.3, IC 8-1-31-5, Adds IC 8-1-31-5.2, IC 8-1-31-5.5, IC 8-1-31-5.9, Amends IC 8-1-31-6, Repeals IC 8-1-31-7, Adds IC 8-1-31-8, IC 8-1-31-9, IC 8-1-31-10, Adds IC 8-1-31-11.5, IC 8-1-31-11.6, Amends IC 8-1-31-13, IC 8-1-31-14, and IC 5-1-31-15 Amends the law on water and wastewater utility distribution system improvement charges so that the law applies to municipally owned utilities and not-for-profit utilities as well as to public utilities. Allows a municipally owned utility or not-for-profit utility that is under the jurisdiction of the Indiana Utility Regulatory Commission (Commission) for the approval of rates and charges to petition the Commission for the adjustment of its basic rates and charges to provide for the recovery of infrastructure improvement costs. Provides that "infrastructure improvement costs," for a municipally owned utility, means debt service and depreciation expenses associated with eligible infrastructure improvements and, for a not-for-profit utility, means debt service associated with eligible infrastructure improvements. Defines "eligible infrastructure improvements" for purposes of municipally owned and not-for-profit utilities. Allows the Commission to consider certain factors in determining the amount of infrastructure improvement costs that a not-for-profit utility or a municipally owned utility will be allowed to recover.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 228 - SENATE ENROLLED ACT 330 – EFFECTIVE JANUARY 1, 2015**
- **ANNEXATION** - Amends IC 8-1-34-23, IC 13-18-15-2, IC 36-4-3-1.5, Adds IC 36-4-3-1.7, Amends IC 36-4-3-2.2, IC 36-4-3-4.1, Adds IC 36-4-3-4.2, IC 36-4-3-4.3, Amends IC 36-4-3-5, IC 36-4-3-5.1, IC 36-4-3-7.1, IC 36-4-3-11, Adds IC 36-4-3-11.1, IC 36-4-3-11.2, IC 36-4-3-11.3, IC 36-4-3-11.4, IC 36-4-3-11.6, IC 36-4-3-11.7, Amends IC 36-4-3-13, IC 36-4-3-14, IC 36-4-3-15, IC 36-4-3-22, IC 36-9-22-2, and IC 36-9-25-14 – Provides the following for annexations for which an annexation ordinance is adopted after June 30, 2015: Eliminates a separate remonstrance for property that consists of not more than 100 parcels and is 80% contiguous to a municipality. Requires a municipality to conduct an outreach program to inform citizens about a proposed annexation. Requires a municipality to provide locations where remonstrance petitions may be signed. Allows remonstrators that prevail at a hearing on a remonstrance to recover reasonable attorney's fees from the municipality that are incurred in litigating an annexation, including appeal costs, not to exceed \$37,500. Specifies the circumstances under which a public highway or rights-of-way of a public highway may be annexed. Provides for municipal reimbursements to counties related to infrastructure owned by the county. Provides that remonstrance waivers executed after June 30, 2015, expire not later than 15 years after the date the waiver was executed. Requires a municipality with respect to a deed recorded after June 30, 2015, to provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 228 - SENATE ENROLLED ACT 330 – EFFECTIVE JANUARY 1, 2015**
- **ANNEXATION (Continued)**
- Requires a municipality to exempt property from property tax liability for municipal purposes while the property is assessed as agricultural land under the real property assessment rules and guidelines of the department of local government finance. Requires a municipality to give notice of an annexation hearing to a landowner whose agricultural property is exempted from property taxes for municipal purposes. Specifies the requirements for completing a remonstrance petition. Provides for an annexation for which an ordinance is adopted after December 31, 2016, that an annexation of land connecting an economic development project to a municipality may proceed to a remonstrance hearing even if the signature threshold is met for voiding the annexation ordinance. Removes an annexation procedure applicable only to a municipality in St. Joseph County. Requires a municipality to obtain the consent of the county executive before annexing property owned by a county redevelopment commission. Provides that fiscal plans prepared after June 30, 2015:
 - 1. must be similar to plans required for local government mergers and reorganizations; and
 - 2. may not be amended after a remonstrance petition is filed, unless the amendment is consented to by at least 65% of the remonstrators.
- Requires a municipality to notify video service providers of the addition of property to the municipality as a result of an annexation.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 230 - SENATE ENROLLED ACT 393 – EFFECTIVE JULY 1, 2015**
- **PUBLIC OFFICIAL SURETY BONDS** – Amends IC 5-4-1-5.1 and IC 5-4-1-18 - Requires copies of political subdivision personnel bonds be filed with the County Auditor or fiscal officer of the political subdivision and with the State Board of Accounts. Requires the State Board of Accounts to maintain a database of received bonds. Requires certain public employees and contractors that have access to public funds to file a bond. Specifies guidelines for fixing the amount of certain bonds. Provides for purchase of a blanket bond that includes aggregate coverage.
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- **PUBLIC LAW 231 - SENATE ENROLLED ACT 463 – EFFECTIVE JULY 1, 2015**
- **CIGARETTES AND TOBACCO SALES** – Amends IC 7.1-5-12-5 and others. Provides for the sale and manufacturing of e-cigarettes. Permits smoking in certain cigar stores and bars. Removes the requirement that members of a club or fraternal club must vote to allow smoking on the premises. Provides that the club or fraternal club may allow guests in the designated smoking room or area only when accompanied by a bona fide member. Specifies that a condition in allowing smoking in a specialty cigar store is that the store does not sell any food or beverage that would require a certified food handler. Removes a requirement that a specialty cigar store not sell food and beverages in a manner that would require consumption on the premises and that there not be an area set aside for food consumption.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 247 - SENATE ENROLLED ACT 415 – EFFECTIVE JULY 1, 2015**
- **VACANT AND ABANDONED HOUSING** – Amends IC 6-1.1-12-18, IC 6-1.1-12-22, IC 6-1.1-24-1.5, IC 6-1.1-24-2.3, IC 6-1.1-24-13, Adds IC 6-1.1-25-0.5, Amends IC 34-30-26-7, IC 36-7-9-5, IC 36-7-9-7, Adds IC 36-7-9-7.5, Amends IC 36-7-9-8, IC 36-7-9-9, IC 36-7-9-12, Adds IC 36-7-9-20.5, Adds IC 36-7-37 - Provides that a county, city, or town fiscal body may adopt an ordinance to establish a deduction period for rehabilitated property that has also been determined to be abandoned or vacant. Specifies that there must be delinquent property taxes or special assessments on real property before it may be sold by the county treasurer as abandoned or vacant property. Provides that an order of a local building standards hearing authority that real property is abandoned or vacant and nonpayment of the associated penalty permits the executive of the county, city, or town to certify to the County Auditor that the real property should be sold as abandoned or vacant property. Provides that the county, city, or town executive that certifies a property as abandoned or vacant has an option to take ownership of the property if the minimum bid is not received. Requires that notifications of unsafe building law orders state that a property may be determined to be abandoned during administrative proceedings.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 247 - SENATE ENROLLED ACT 415 – EFFECTIVE JULY 1, 2015**
- **VACANT AND ABANDONED HOUSING (Continued)**
- Provides that the county, city, or town executive that certifies a property as abandoned or vacant has an option to take ownership of the property if the minimum bid is not received. Requires that notifications of unsafe building law orders state that a property may be determined to be abandoned during administrative proceedings. Provides for hearings to review civil penalties imposed at enforcement proceedings. Provides for civil penalties if a property owner does not comply with a repair order when a hearing was not requested. Provides for administrative approval of costs of emergency action. Requires recording of civil penalty orders issued by an enforcement authority. Provides that a hearing authority may use the same standards that are used by a court in finding that real property is abandoned or vacant for purposes of selling the real property at an abandoned and vacant property sale. Permits a county, city, or town executive to use the courts instead of a hearing authority for the determination that a property is abandoned or vacant. Extends the mortgage foreclosure counseling and education court fee until July 1, 2017. Makes technical corrections.

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2015 LAWS AFFECTING CITIES AND TOWNS SENATE ENROLLED ACTS

- **PUBLIC LAW 249 - SENATE ENROLLED ACT 436 – EFFECTIVE JULY 1, 2015**
- **STATE AND LOCAL TAXATION** - Provides that if a taxpayer has personal property subject to assessment in more than one township in a county or has personal property that is subject to assessment and that is located in two or more taxing districts within the same township, the taxpayer shall file a single tax return with the county assessor. Provides that a personal property return notice must be filed with the county assessor, and not the township assessor, of the county in which the owner resides when the personal property is located in a different county. Provides a property tax exemption for taxpayers with less than \$20,000 of total business personal property in a county. Removes the requirement in current law that such an exemption is effective in a county only if adopted by the county income tax council. Requires, for the \$20,000 personal property exemption, that the owner's certification be notarized and signed under penalties for perjury. Specifies conditions for valuing big box retail properties and commercial nonincome producing real property for property tax purposes and excludes multi-tenant income producing shopping centers from both provisions. Requires the Indiana Board of Tax Review (IBTR) to recommend that the parties settle or mediate any case pending before the board as of May 1, 2015, that has not yet received a hearing if certain conditions apply. Specifies that, to be eligible for a homestead deduction for property that an individual is buying under contract, the contract must obligate the owner to convey title to the individual upon completion of all of the individual's contract obligations.

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- **PUBLIC LAW 249 - SENATE ENROLLED ACT 436 – EFFECTIVE JULY 1, 2015**
- **STATE AND LOCAL TAXATION (Continued)**
- Authorizes a county fiscal body to adopt an ordinance to allow political subdivisions and local agencies within the county to use a uniform property tax disclosure form. Specifies the information that must be disclosed on the form. Provides that the Department of Local Government Finance (DLGF) shall:
 1. review the tax rates and levies for each fire protection territory whose establishment was effective not later than July 1, 2012;
 2. make recommendations to the participating units concerning their existing tax rates and tax levies; and
 3. report its findings and recommendations to the legislative council.
- Does the following in the case of a certified technology park that is operating jointly by multiple Redevelopment Commissions:
 1. Increases the total maximum amount of tax increment that may be captured by the certified technology park.
 2. Authorizes a party to the agreement to allocate a part of the maximum amount that may be deposited in the party's incremental tax financing fund to one or more other parties to the agreement.
- Provides that a Redevelopment Commission may enter into a written agreement with a taxpayer in which the taxpayer waives review of any assessment of the taxpayer's tangible property that is located in an allocation area.

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