



January 10, 2020

HOUSE BILL No. 1027

DIGEST OF HB 1027 (Updated January 8, 2020 5:31 pm - DI 133)

Citations Affected: IC 3-10; IC 3-11; IC 3-13; IC 6-1.1; IC 36-2; IC 36-6; IC 36-7; IC 36-9.

Synopsis: Township assessors. Abolishes the office of township assessor, effective January 1, 2023. Transfers the duties of the township assessor to the county assessor of the county in which the township is located. Provides that if the office of township assessor becomes vacant before January 1, 2023, the office is abolished and the duties of the township assessor are transferred to the county assessor.

Effective: Upon passage; July 1, 2020.

Engleman, Pressel, Lauer, Jackson

January 6, 2020, read first time and referred to Committee on Government and Regulatory Reform.
January 9, 2020, reported — Do Pass.

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January 10, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1027

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

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

1 SECTION 1. IC 3-10-1-19, AS AMENDED BY P.L.278-2019,
2 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 19. (a) The ballot for a primary election shall be
4 printed in substantially the form described in this section for all the
5 offices for which candidates have qualified under IC 3-8.

6 (b) The following shall be printed as the heading for the ballot for
7 a political party:

8 "OFFICIAL PRIMARY BALLOT

9 _____ Party (insert the name of the political party)".

10 (c) The following shall be printed immediately below the heading
11 required by subsection (b) or be posted in each voting booth as
12 provided in IC 3-11-2-8(b):

13 (1) For paper ballots, print: To vote for a person, make a voting
14 mark (X or ✓) on or in the box before the person's name in the
15 proper column.

16 (2) For optical scan ballots, print: To vote for a person, darken or
17 shade in the circle, oval, or square (or draw a line to connect the

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arrow) that precedes the person's name in the proper column.

(3) 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.

(4) For electronic voting systems, print: To vote for a person, touch the screen (or press the button) in the location indicated.

(d) Local public questions shall be placed on the primary election ballot after the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g).

(e) The local public questions described in subsection (d) shall be placed as follows:

(1) In a separate column on the ballot if voting is by paper ballot.

(2) After the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-13-11 if voting is by ballot card.

(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 heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-14-3.5.

(f) 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

(g) 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.

(I) County council member.

(5) Township offices:

~~(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).~~

~~(B)~~ (A) Township trustee.

~~(C)~~ (B) Township board member.

~~(D)~~ (C) Judge of the small claims court.

~~(E)~~ (D) 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.

(h) 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 (g):

(1) Precinct committeeman.

(2) State convention delegate.

(i) The local offices to be elected at the primary election shall be



placed on the primary election ballot after the offices described in subsection (h).

(j) The offices described in subsection (i) shall be placed as follows:

(1) In a separate column on the ballot if voting is by paper ballot.

(2) After the offices described in subsection (h) in the form specified in IC 3-11-13-11 if voting is by ballot card.

(3) Either:

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

(B) after the offices described in subsection (h) 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.278-2019, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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.

(10) County council member.

(11) Township trustee.

(12) Township board member.

~~(13) Township assessor (only in a township referred to in IC 36-6-5-1(d)).~~

~~(14)~~ (13) Judge of a small claims court.

~~(15)~~ (14) Constable of a small claims court.

SECTION 3. IC 3-11-2-12, AS AMENDED BY P.L.278-2019, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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.



- 1 (E) Auditor of state.
- 2 (F) Treasurer of state.
- 3 (G) Attorney general.
- 4 (H) United States Representative.
- 5 (2) Legislative offices:
- 6 (A) State senator.
- 7 (B) State representative.
- 8 (3) Circuit offices and county judicial offices:
- 9 (A) Judge of the circuit court, and unless otherwise specified
- 10 under IC 33, with each division separate if there is more than
- 11 one (1) judge of the circuit court.
- 12 (B) Judge of the superior court, and unless otherwise specified
- 13 under IC 33, with each division separate if there is more than
- 14 one (1) judge of the superior court.
- 15 (C) Judge of the probate court.
- 16 (D) Prosecuting attorney.
- 17 (E) Clerk of the circuit court.
- 18 (4) County offices:
- 19 (A) County auditor.
- 20 (B) County recorder.
- 21 (C) County treasurer.
- 22 (D) County sheriff.
- 23 (E) County coroner.
- 24 (F) County surveyor.
- 25 (G) County assessor.
- 26 (H) County commissioner.
- 27 (I) County council member, except as provided in section 12.4
- 28 of this chapter.
- 29 (5) Township offices:
- 30 ~~(A) Township assessor (only in a township referred to in~~
- 31 ~~IC 36-6-5-1(d)).~~
- 32 ~~(B)~~ (A) Township trustee.
- 33 ~~(C)~~ (B) Township board member, except as provided in
- 34 section 12.4 of this chapter.
- 35 ~~(D)~~ (C) Judge of the small claims court.
- 36 ~~(E)~~ (D) Constable of the small claims court.
- 37 (6) City offices:
- 38 (A) Mayor.
- 39 (B) Clerk or clerk-treasurer.
- 40 (C) Judge of the city court.
- 41 (D) City-county council member or common council member,
- 42 except as provided in section 12.4 of this chapter.



(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member, except as provided in section 12.4 of this chapter.

SECTION 4. IC 3-13-10-3, AS AMENDED BY P.L.119-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section applies to a vacancy in the office of township assessor. ~~not covered by section 1 of this chapter.~~

(b) ~~A vacancy shall be filled by the county assessor, subject to the approval of the department of local government finance. Except as provided in subsection (c), the county assessor shall make the appointment not later than thirty (30) days after the vacancy occurs. If the vacancy occurred because the elected township assessor failed to qualify or was removed, the person who is appointed must be of the same political party as the elected township assessor.~~

(c) ~~If a vacancy exists because of the death of the township assessor, the county assessor shall make the appointment required by subsection (b) not later than thirty (30) days after the county assessor receives notice of the death under IC 5-8-6. The county assessor may not fill the vacancy as required by subsection (b) until the county assessor receives notice of the death under IC 5-8-6.~~

(b) **Notwithstanding section 1 of this chapter or any other law, if the office of township assessor becomes vacant, all of the following apply:**

(1) The vacancy may not be filled.

(2) The office of township assessor is abolished in that township, as provided in IC 36-6-5-5.

(3) The county assessor of the county in which the township is located shall assume the duties of the township assessor as provided in IC 36-6-5-5.

(c) This section expires January 1, 2023.

SECTION 5. IC 6-1.1-5-9, AS AMENDED BY P.L.146-2008, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. In a county containing a consolidated city

~~(1) the township assessor has the duties and authority described in sections 1 through 8 of this chapter; and~~

~~(2) the county assessor has the duties and authority described in sections 1 through 8 of this chapter. for a township for which there is no township assessor.~~

These duties and authority include effecting the transfer of title to real property and preparing, maintaining, approving, correcting, indexing,



and publishing the list or record of, or description of title to, real property. If a court renders a judgment for the partition or transfer of real property located in a county containing a consolidated city, the clerk of the court shall deliver the transcript to the county assessor.

SECTION 6. IC 6-1.1-5.5-12, AS AMENDED BY P.L.144-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A party to a conveyance who:

(1) either:

(A) files a sales disclosure form that does not contain all of the information required by this chapter; or

(B) files a sales disclosure form that contains inaccurate information;

and receives from ~~the township assessor (in a county containing a consolidated city)~~ or the county assessor ~~(in any other county)~~ written notice of the problems described in clause (A) or (B); and (2) fails to file a correct sales disclosure form that fully complies with all requirements of this chapter within thirty (30) days after the date of the notice under subdivision (1);

is subject to a penalty in the amount determined under subsection (b).

(b) The amount of the penalty under subsection (a) is the greater of:

(1) one hundred dollars (\$100); or

(2) twenty-five thousandths percent (0.025%) of the sale price of the real property transferred under the conveyance document.

(c) ~~The township assessor in a county containing a consolidated city; or the county assessor in any other county;~~ shall:

(1) determine the penalty imposed under this section;

(2) assess the penalty to the party to a conveyance; and

(3) notify the party to the conveyance that the penalty is payable not later than thirty (30) days after notice of the assessment.

(d) The county auditor shall:

(1) collect the penalty imposed under this section;

(2) deposit penalty collections as required under section 4 of this chapter; and

(3) notify the county prosecuting attorney of delinquent payments.

(e) The county prosecuting attorney shall initiate an action to recover a delinquent penalty under this section. In a successful action against a person for a delinquent penalty, the court shall award the county prosecuting attorney reasonable attorney's fees.

SECTION 7. IC 6-1.1-18.5-4.5, AS AMENDED BY P.L.1-2010, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. The department of local government finance shall adjust the maximum permissible ad valorem tax levy of each



1 county and township to reflect any transfer of duties between assessors
 2 under IC 36-2-15-5, or IC 36-6-5-2 (repealed), **IC 36-6-5-5, or**
 3 **IC 36-6-5-6.**

4 SECTION 8. IC 36-2-15-0.3 IS REPEALED [EFFECTIVE JULY
 5 1, 2020]. Sec. 8-3: (a) The following are transferred to the county
 6 assessor:

7 (1) On July 1, 2008:

8 (A) employment positions as of June 30, 2008, of each elected
 9 township assessor in the county whose duties relating to the
 10 assessment of tangible property are transferred to the county
 11 assessor under IC 36-6-5-1(h), as added by P.L.146-2008;
 12 including:

13 (i) the employment position of the elected township
 14 assessor; and

15 (ii) the employment positions of all employees of the elected
 16 township assessor;

17 (B) real and personal property of:

18 (i) elected township assessors in the county whose duties
 19 relating to the assessment of tangible property are
 20 transferred to the county assessor under IC 36-6-5-1(h), as
 21 added by P.L.146-2008; and

22 (ii) township trustee-assessors in the county;

23 used solely to carry out property assessment duties;

24 (C) obligations outstanding on June 30, 2008, of:

25 (i) elected township assessors in the county whose duties
 26 relating to the assessment of tangible property are
 27 transferred to the county assessor under IC 36-6-5-1(h), as
 28 added by P.L.146-2008; and

29 (ii) township trustee-assessors in the county;

30 relating to the assessment of tangible property; and

31 (D) funds of:

32 (i) elected township assessors in the county whose duties
 33 relating to the assessment of tangible property are
 34 transferred to the county assessor under IC 36-6-5-1(h), as
 35 added by P.L.146-2008; and

36 (ii) township trustee-assessors in the county;

37 on hand for the purpose of carrying out property assessment
 38 duties in the amount determined by the county auditor.

39 (2) On January 1, 2009:

40 (A) employment positions as of December 31, 2008, of each
 41 elected township assessor in the county whose duties relating
 42 to the assessment of tangible property are transferred to the



1 county assessor as the result of a referendum under this
 2 chapter, as amended by P.L.146-2008, including:

3 (i) the employment position of the elected township
 4 assessor; and

5 (ii) the employment positions of all employees of the elected
 6 township assessor;

7 (B) real and personal property of elected township assessors in
 8 the county whose duties relating to the assessment of tangible
 9 property are transferred to the county assessor as the result of
 10 a referendum under this chapter, as amended by P.L.146-2008;
 11 used solely to carry out property assessment duties;

12 (C) obligations outstanding on December 31, 2008, of elected
 13 township assessors in the county whose duties relating to the
 14 assessment of tangible property are transferred to the county
 15 assessor as the result of a referendum under this chapter, as
 16 amended by P.L.146-2008, relating to the assessment of
 17 tangible property; and

18 (D) funds of elected township assessors in the county whose
 19 duties relating to the assessment of tangible property are
 20 transferred to the county assessor as the result of a referendum
 21 under this chapter, as amended by P.L.146-2008, on hand for
 22 the purpose of carrying out property assessment duties in the
 23 amount determined by the county auditor.

24 (b) Before July 1, 2008, the county assessor shall interview, or give
 25 the opportunity to interview to, each individual who:

26 (1) is an employee of:

27 (A) an elected township assessor in the county whose duties
 28 relating to the assessment of tangible property are transferred
 29 to the county assessor under IC 36-6-5-1(h), as added by
 30 P.L.146-2008; or

31 (B) a trustee-assessor in the county;

32 as of March 19, 2008; and

33 (2) applies before June 1, 2008, for an employment position
 34 referred to in subsection (a)(1)(A).

35 (c) Before December 31, 2008, the county assessor shall interview,
 36 or give the opportunity to interview to, each individual who:

37 (1) is an employee of an elected township assessor in the county
 38 whose duties relating to the assessment of tangible property are
 39 transferred to the county assessor as the result of a referendum
 40 under this chapter, as amended by P.L.146-2008, as of March 19,
 41 2008; and

42 (2) applies before December 1, 2008, for an employment position



referred to in subsection (a)(2)(A):

(d) A township served on June 30, 2008, by a township assessor whose duties relating to the assessment of tangible property are transferred to the county assessor under IC 36-6-5-1(h), as added by P.L.146-2008 shall transfer to the county assessor all revenue received after the date of the transfer that is received by the township for the purpose of carrying out property assessment duties in the amount determined by the county auditor:

SECTION 9. IC 36-6-1.5-7, AS ADDED BY P.L.240-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. If township governments merge under this chapter,

(1) IC 36-6-6 applies to the election of the township board and

(2) IC 36-6-5-1 applies to the election of a township assessor; of the new township government.

SECTION 10. IC 36-6-5-1, AS AMENDED BY P.L.167-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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:

(d) Subject to subsection (g), after 2008 a township assessor shall



1 be elected under IC 3-10-2-13 only by the voters of each township in
2 which:

- 3 (1) the number of parcels of real property on January 1, 2008, is
4 at least fifteen thousand (15,000); and
5 (2) the transfer to the county assessor of the assessment duties
6 prescribed by IC 6-1.1 is disapproved in the referendum under
7 IC 36-2-15.

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

12 (f) (b) The term of office of a township assessor is four (4) years,
13 beginning January 1 after election. ~~and continuing until a successor is~~
14 ~~elected and qualified. However, the term of office of a township~~
15 ~~assessor elected at a general election in which no other township~~
16 ~~officer is elected ends on December 31 after the next election in which~~
17 ~~any other township officer is elected.~~

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

- 20 (1) If the individual has never held the office of township
21 assessor, the individual must have attained a level two
22 assessor-appraiser certification under IC 6-1.1-35.5.
23 (2) If the individual has held the office of township assessor, the
24 individual must have attained a level three assessor-appraiser
25 certification under IC 6-1.1-35.5.

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

30 **(d) This section expires January 1, 2023.**

31 SECTION 11. IC 36-6-5-3, AS AMENDED BY P.L.146-2008,
32 SECTION 711, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in
34 subsection (b), the assessor shall perform the duties prescribed by
35 statute, including assessment duties prescribed by IC 6-1.1.

36 (b) Subsection (a) does not apply if the duties of the township
37 assessor have been transferred to the county assessor as described in
38 IC 6-1.1-1-24 or IC 36-2-15.

39 **(c) This section expires January 1, 2023.**

40 SECTION 12. IC 36-6-5-4, AS AMENDED BY P.L.167-2015,
41 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2020]: Sec. 4. (a) Before July 1, 2017, an employee of a



township assessor who performs real property assessing duties must have attained the level of certification under IC 6-1.1-35.5 that the township assessor is required to attain under section ~~1(g)~~ **1(c)** of this chapter.

(b) After June 30, 2017, an employee of a township assessor who is responsible for placing an assessed valuation on real property must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.

(c) This subsection applies after June 30, 2017. If the township assessor has not attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5, the township fiscal body shall authorize either of the following:

(1) The appointment of at least one (1) deputy or employee who has attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.

(2) Contracting with a person who has attained, or who employs for purposes of the contract an individual who has attained, the certification of a level three assessor-appraiser under IC 6-1.1-35.5. The individual under contract with the township assessor under this subdivision shall assist the township assessor with assessment duties as determined by the township assessor.

Payment for the deputy, employee, or contractor shall be made from the budget for the township assessor.

(d) This section expires January 1, 2023.

SECTION 13. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. (a) If the office of a township assessor becomes vacant, the following apply on the date the office becomes vacant:**

(1) The office of township assessor for that township is abolished.

(2) The county assessor of the county in which the township is located shall assume the duties of the township assessor.

(3) All of the following are transferred to the county assessor:

(A) All employment positions of all employees of the township assessor.

(B) The real and personal property of the township assessor.

(C) The obligations outstanding on the date the office of township assessor becomes vacant.

(D) The funds of the township assessor.

(b) An employee of the office of the township assessor on the



1 date the office of the township assessor becomes vacant is entitled
 2 to remain in the employee's position transferred under subsection
 3 (a) until the earlier of the following:

4 (1) The employee resigns from the position.

5 (2) The employee's employment is terminated. However, an
 6 employee described in this subsection may be terminated only
 7 in the same manner that other employees of the county
 8 assessor may be terminated.

9 (c) The county auditor shall transfer to the county assessor all
 10 revenue received by the township:

11 (1) through the date that the office of the township assessor
 12 became vacant; and

13 (2) for the purpose of carrying out property assessment
 14 duties;

15 in the amount determined by the county auditor.

16 SECTION 14. IC 36-6-5-6 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2020]: Sec. 6. (a) This section applies to the office of a township
 19 assessor in existence on December 31, 2022.

20 (b) On January 1, 2023, the office of township assessor is
 21 abolished.

22 (c) On January 1, 2023, all the powers and duties of the
 23 township assessor are transferred to the county assessor of the
 24 county in which the township is located.

25 (d) On January 1, 2023, all of the following are transferred to
 26 the county assessor:

27 (1) All employment positions as of December 31, 2022, of each
 28 township assessor in the county, including all of the following:

29 (A) The employment position of the township assessor.

30 (B) The employment positions of all employees of the
 31 township assessor.

32 (2) The real and personal property of each township assessor
 33 in the county.

34 (3) The obligations outstanding on December 31, 2022, of each
 35 township assessor in the county.

36 (4) The funds of each township assessor in the county.

37 (e) Before January 1, 2023, the county assessor shall interview,
 38 or give the opportunity to interview to, each individual who:

39 (1) is, as of October 1, 2022, an employee of a township
 40 assessor in the county; and

41 (2) applies before December 1, 2022, for an employment
 42 position referred to in subsection (d)(1).



(f) The county auditor shall transfer to the county assessor all revenue received after December 31, 2022, by the township for the purpose of carrying out property assessment duties in the amount determined by the county auditor.

SECTION 15. IC 36-6-5-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each county assessor and township assessor whose duties will be transferred under section 6 of this chapter shall:

(1) organize the records of the assessor's office relating to the assessment of tangible property in a manner prescribed by the department of local government finance; and

(2) transfer the records before January 1, 2023, as directed by the department of local government finance.

(b) The department of local government finance shall determine a procedure and schedule for the transfer of the records and operations. The assessors shall assist each other and coordinate their efforts to:

(1) ensure an orderly transfer of all records; and

(2) provide for an uninterrupted and professional transition of the functions of assessors consistent with this chapter, IC 6-1.1, and the directions of the department of local government finance.

SECTION 16. IC 36-6-5-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The legislative services agency, under the supervision of the code revision commission, shall prepare legislation for introduction during the 2023 session of the general assembly to amend Indiana law to make necessary corrections and changes in the Indiana Code to reflect the abolition of the office of township assessor.

SECTION 17. IC 36-6-5-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. This chapter expires January 1, 2025.

SECTION 18. IC 36-7-11.2-11, AS AMENDED BY P.L.219-2007, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. As used in this chapter, "notice" means written notice:

(1) served personally upon the person, official, or office entitled to the notice; or

(2) served upon the person, official, or office by placing the notice in the United States mail, first class postage prepaid, properly



1 addressed to the person, official, or office. Notice is considered
 2 served if mailed in the manner prescribed by this subdivision
 3 properly addressed to the following:

4 (A) The governor, both to the address of the governor's official
 5 residence and to the governor's executive office in
 6 Indianapolis.

7 (B) The Indiana department of transportation, to the
 8 commissioner.

9 (C) The department of natural resources, both to the director
 10 of the department and to the director of the department's
 11 division of historic preservation and archeology.

12 (D) The department of metropolitan development.

13 (E) An occupant, to:

14 (i) the person by name; or

15 (ii) if the name is unknown, the "Occupant" at the address of
 16 the Meridian Street or bordering property occupied by the
 17 person.

18 (F) An owner, to the person by the name shown to be the name
 19 of the owner, and at the person's address, as the address
 20 appears in the records in the bound volumes of the most recent
 21 real estate tax assessment records as the records appear in

22 ~~(i) the offices of the township assessors; or~~

23 ~~(ii) the office of the county assessor~~

24 in Marion County.

25 (G) A neighborhood association or the society, to the
 26 organization at the latest address as shown in the records of the
 27 commission.

28 SECTION 19. IC 36-7-11.2-58, AS AMENDED BY P.L.146-2008,
 29 SECTION 719, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2020]: Sec. 58. (a) A person who has filed a
 31 petition under section 56 or 57 of this chapter shall, not later than ten
 32 (10) days after the filing, serve notice upon all interested parties. The
 33 notice must state the following:

34 (1) The full name and address of the following:

35 (A) The petitioner.

36 (B) Each attorney acting for and on behalf of the petitioner.

37 (2) The street address of the Meridian Street and bordering
 38 property for which the petition was filed.

39 (3) The name of the owner of the property.

40 (4) The full name and address of, and the type of business, if any,
 41 conducted by:

42 (A) each person who at the time of the filing is a party to; and



(B) each person who is a disclosed or an undisclosed principal for whom the party was acting as agent in entering into; a contract of sale, lease, option to purchase or lease, agreement to build or develop, or other written agreement of any kind or nature concerning the subject property or the present or future ownership, use, occupancy, possession, or development of the subject property.

(5) A description of the contract of sale, lease, option to purchase or lease, agreement to build or develop, or other written agreement sufficient to disclose the full nature of the interest of the party or of the party's principal in the subject property or in the present or future ownership, use, occupancy, possession, or development of the subject property.

(6) A description of the proposed use for which the rezoning or zoning variance is sought, sufficiently detailed to appraise the notice recipient of the true character, nature, extent, and physical properties of the proposed use.

(7) The date of the filing of the petition.

(8) The date, time, and place of the next regular meeting of the commission if a petition is for approval of a zoning variance. If a petition is filed with the development commission, the notice does not have to specify the date of a hearing before the commission or the development commission. However, the person filing the petition shall give ten (10) days notice of the date, time, and place of a hearing before the commission on the petition after the referral of the petition to the commission by the development commission.

(b) For purposes of giving notice to the interested parties who are owners, the records in the bound volumes of the recent real estate tax assessment records as the records appear in

~~(1) the offices of the township assessors (if any); or~~

~~(2) the office of the county assessor~~

as of the date of filing are considered determinative of the persons who are owners.

SECTION 20. IC 36-7-15.1-32, AS AMENDED BY P.L.146-2008, SECTION 759, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 32. (a) The commission must establish a program for housing. The program, which may include such elements as the commission considers appropriate, must be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 26 and 35 of this chapter for the accomplishment of the program.



(b) The notice and hearing provisions of sections 10 and 10.5 of this chapter apply to the resolution adopted under subsection (a). Judicial review of the resolution may be made under section 11 of this chapter.

(c) Before formal submission of any housing program to the commission, the department shall consult with persons interested in or affected by the proposed program and provide the affected neighborhood associations, residents, ~~township assessors (if any)~~, and the county assessor with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program. The department may hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents.

SECTION 21. IC 36-9-11.1-11, AS AMENDED BY P.L.146-2008, SECTION 789, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) All property of every kind, including air rights, acquired for off-street parking purposes, and all its funds and receipts, are exempt from taxation for all purposes. When any real property is acquired by the consolidated city, the county auditor shall, upon certification of that fact by the board, cancel all taxes then a lien. The certificate of the board must specifically describe the real property, including air rights, and the purpose for which acquired.

(b) A lessee of the city may not be assessed any tax upon any land, air rights, or improvements leased from the city, but the separate leasehold interest has the same status as leases on taxable real property, notwithstanding any other law. Whenever the city sells any such property to anyone for private use, the property becomes liable for all taxes after that, as other property is so liable and is assessed, and the board shall report all such sales to ~~the township assessor, or the county assessor, if there is no township assessor for the township~~, who shall cause the property to be upon the proper tax records.

~~(c) If the duties of the township assessor have been transferred to the county assessor as described in IC 6-1-1-24, a reference to the township assessor in this section is considered to be a reference to the county assessor.~~

SECTION 22. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1027 as introduced.)

PRESSEL

Committee Vote: Yeas 7, Nays 5

