



Indiana Association of
Cities and Towns

LEGISLATIVE SUMMARY

INDIANA ASSOCIATION OF CITIES AND TOWNS LEGISLATIVE E-NEWSLETTER



FEBRUARY 22, 2013

The *Legislative Summary* is a weekly e-newsletter intended to provide you with a sampling of important bills being debated at the Statehouse. For additional information about the legislative session, continue monitoring [IACT's Legislative webpage](#), or contact us directly at (317) 237-6200.

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IN Action This Week: Top 5 Things to Know

1. No more committee meetings in the first house! Any bill not voted out of committee is now dead, but proposals can always be amended into another bill later. #9lives
2. REVENUE LOSS CONCERN: HB 1544 is up for final vote in House on Monday. It allows local option for any county, city or town to provide up to 100% deduction or credit for all personal property taxes across the board. This would create no new jobs and great inequities between local units, in addition to revenue loss for all in a county. Please urge your representative to vote NO on HB 1544 on Monday.
3. NO NEW FEES! HB 1313 puts a moratorium on *ANY* new municipal fees (trash, utility, etc.) and on local rental inspection programs. HB 1313 is on the calendar for final vote in the House on Monday. Please urge your representatives to vote NO on HB 1313 on Monday.
4. House budget proposal likely to pass House on Monday: does not include Governor Pence's hallmark 10% income tax cut, does increase funding for local road & streets by approximately \$40 M, and does increase K-12 funding by about \$344 M.
5. Next week marks the session half-time, as third reading deadlines set for Monday, February 25th in House and Tuesday, February 26 in Senate.

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IN Local Roads & Streets Initiative: Increased Funding a Top Priority!

Enabling Legislation Dies in House

County Excise Surtax and Wheel Tax (Karickhoff, R-Kokomo)

The House of Representatives killed HB 1117 on third reading on the House floor with a vote of 31-67. This bill would have permitted a county income tax council to impose, increase, decrease, or rescind the excise surtax and wheel tax. Under current law, only the county council has the authority to impose these taxes. The vote on this bill came to a huge surprise to Representative Karickhoff and was most likely the result of legislators fearing being labeled as supporting a tax increase. [Click here](#) to see how lawmakers voted on HB 1117. If your legislator voted no, please contact him/her and voice your concerns over their unwillingness to support this enabling legislation.

Fortunately, the Senate has already passed SB 389, which is an identical bill to HB 1117. Representative Karickhoff has agreed to be the House sponsor and will get a second chance at passing this enabling legislation to provide local governments the ability to vet this policy decision at the local level. SB 389 enjoys bipartisan support with Representatives Lanane and Skinner signing on as co-authors.

IACT Position: Support

Link to bill: <http://www.in.gov/legislative/bills/2013/PDF/HB/HB1117.1.pdf>
<http://www.in.gov/legislative/bills/2013/PDF/SB/SB0389.1.pdf>

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist and Legislative Counsel at (260) 615-1528 or jswanson@citiesandtowns.org.

Promising Road Funding Provisions in Budget

HB 1001 Biennial budget (Brown, R-Crawfordsville)

On February 19, 2013, HB 1001 was heard in the House Ways and Means Committee and was passed out 16-7 along party lines. The budget bill was ordered engrossed yesterday and will be on the third reading calendar on Monday.

HB 1001 removes the requirement that the Motor Vehicle Highway Account (MVHA) pay one-half of the amount appropriated to the Indiana State Police (ISP) for its operations. MVHA funds are primarily used for traffic safety programs and for construction and maintenance of state highways. The budget also changes the distribution of Sales and Use Taxes by reducing the amount deposited in the state General Fund and redirects 1.5% of the revenue to the MVHA. This will lead to an increase in funds available to cities and towns.

The shifting of ISP expenses from the MVH to other funds and the Sales and Use Tax distribution provision are estimated to result in additional distributions to INDOT, counties, cities, and towns of \$87.9 M to \$92.9 M in FY 2014 and \$89.8 M to \$94.5 M in FY 2015.

IACT Position: Support

Link to Bill: <http://www.in.gov/legislative/bills/2013/PDF/HB/HB1001.2.pdf>

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist and Legislative Counsel at (260) 615-1528 or jswanson@citiesandtowns.org.

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IN Bills of Concern

Pay Attention to This One! It Causes Loss of Tax Base

HB 1544 Various Tax Matters (Turner, R-Cicero)

HB 1544 provides for a local option – permitting a county, city or town to authorize a 100% tax credit for all property taxes imposed on the personal property within its jurisdiction. (For instance, a county council could exempt all personal property taxes in the county which would affect the city and town tax base.)

In addition, the bill further reduces tax base by changing the assessment rules for “common areas” of the 2% properties (apartments and rental properties). Currently, the common areas of these properties, such as the lobby areas or swimming pool areas, are capped at 3%. This language would cap the common areas at 2%. (Note that for a homestead property capped at 1%, the swimming pool areas, gazebo areas, etc. are capped at 3%).

The bill also makes reforms to the tax abatement statute.

Even though the bill provides for a *local option* on the ability to grant exemption on personal property, IACT opposes the bill on the reasoning that the county council should not be permitted to make exemption decisions that affect cities and towns. We also think there will be unintended consequences by allowing one local unit to grant an exemption which affects all other surrounding local units. We also oppose changing the assessment rules on “common areas” of rental properties.

IACT Position: Opposed

Links to Bill:

<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&session=1&request=getBill&docno=1544>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Bill Places One-Year Moratorium on ALL New Fees for Cities and Towns, In Addition to Moratorium on Rental Registration and Inspection Programs

HB 1313 Regulation of Residential Leases (Rep. Speedy, R – Indianapolis)

[HB 1313](#) was amended in committee this week to request the issue of rental inspections be taken up in a summer study committee. In a surprise move, the amendment also places a moratorium on the formation of any new rental inspection programs as well as prohibits any changes to existing programs for the next year. Unfortunately, the fee moratorium language is unclear and can be interpreted to prohibit any city or town from imposing new fees for any purpose, such as utilities, parking, and so forth. IACT has expressed opposition and concern relating the newest amendment.

Specifically, the bill stipulates that political subdivisions may not adopt a regulation after February 28, 2013, that:

- (1) requires an owner or landlord to be licensed or to obtain a permit from the political subdivision to lease a rental unit;
- (2) requires an owner or landlord to enroll or participate in a class or government program as a condition for leasing a rental unit; or
- (3) imposes a fee or other assessment for inspection of a rental unit, registration of an owner, landlord, or rental unit, or for any other purpose other than a fee relating to the construction of a rental unit, such as a building permit fee. Note: The fee moratorium language is unclear and could be read to include all municipal fees, not just those related to rental inspection programs.
- The moratorium would expire on July 1, 2014.

An attempt to remove the moratorium via a 2nd reading amendment failed (27-64). [Click here](#) to see how legislators voted on the amendment. The bill now comes up for a House 3rd reading vote on Monday, 2/25.

To view House action from last night, click on the following link, go to the house archive of floor action, click on part 2 for February 21. The discussion starts about 3:10.

http://www.in.gov/legislative/house_republicans/webcast/R-chive2013.html.

IACT Position: Oppose

Link to Bill: <http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&request=getBill&docno=1313>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org

Senate Impedes Growth of Cities and Towns

SB 376 – Gross Assessed Value Limit on Annexations (Buck, R-Kokomo; Mahan, R- Hartford City)

The Senate, by a vote of 44-5, passed a bill limiting a municipality's ability to annex beginning July 1, 2013. For annexations adopted after June 30, 2013, a municipality may not annex territory that would result in an increase in the total gross assessed value of the municipality by more than 15% in the ensuing calendar year (as compared to the total gross assessed value of the municipality before the effective date of the annexation ordinance), *regardless* of whether the increase in assessed value results from *one or more* annexations and *regardless* of whether the annexation is voluntary, super voluntary or involuntary. This limitation will affect small municipalities with a low assessed value who are annexing developed property with a higher assessed value.

Also beginning after June 30, 2013, the ability to postpone the effective date of an involuntary annexation ordinance would be changed from the current three years to no more than one year after the date the annexation ordinance is adopted; thus limiting the fairness and flexibility of the landowner and the municipality to reach agreement on growth.

IACT Position: Opposed

Link to Bill:

<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&session=1&request=getBill&docno=376>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 237-6200 or rcook@citiesandtowns.org or Jodie Woods, IACT General Counsel at jwoods@citiesandtowns.org.

Keep Talking to Legislators: Preserve Cable Franchise Fees

HB 1432 Elimination of Cable Franchise Fees (Lutz, R – Anderson)

The bill number HB 1432 is dead for this session. However, IACT will be on the lookout for any attempts to amend language eliminating cable franchise fees into other bills. Please keep talking to your legislators about cable franchise fees. We may need their support if an amendment is filed. Thank you for your help!

IACT Position: Opposed

Link to Bills:

<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&request=getBill&docno=1432>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org

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IN Legislative Initiatives

[Control-Click here for more about IACT 2013 Initiatives and Legislative Team](#)

More Work in the Second Half to Be Done on Abandoned Housing

SB 433 Abandoned Housing (Paul, R-Richmond)

IACT plans to work on further abandoned housing language during the session's second half. SB 433 will likely be the vehicle for further language to be inserted. The House sponsor of SB 433 is Rep. Richard Hamm from Richmond.

IACT Position: Support.

Links to Bill: <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=433>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Utility Relocation Bill Passed Senate with Unanimous Support

SB 365 Utility Relocation (Crider, R-Greenfield)

[SB 365](#), one of IACT's initiative bills passed out of the Senate with unanimous support, a vote 49-0. Rep. Eric Koch (R-Bedford) will sponsor the bill in the House.

The bill attempts to address the problem of municipalities enduring long and expensive delays when a construction project is planned but can't proceed because the utility company has not relocated their lines. The bill authorizes a unit of local government to enter into an agreement with a utility concerning the relocation of the utility's facilities for a major highway, street, or road project and requires that the agreement must include a date for relocation.

The bill authorizes a unit of local government to enter into an agreement with a utility concerning the relocation of the utility's facilities for a major highway, street, or road project undertaken by the local unit. It requires that the agreement must include a date for relocation and conditions under which the utility is excused from meeting the date, including a force majeure clause. Specifies that a unit that is responsible for relocation costs shall pay the costs in arrears in accordance with the procedures of the state board of accounts.

IACT Position: INITIATIVE, Support.

Links to Bill: <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=365>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Meth Discussion Continues in SB 496

Recent statistics show Indiana meth incidents are still on the rise. In 1995, Indiana reported 6 meth lab busts. In 2012, Indiana reported 1,726 meth lab busts, a number that puts Indiana in the top three in the nation for the number of meth lab busts. The making and taking of meth is devastating our communities, often putting innocent lives at risk and leaving properties destroyed and dangerous. The monetary costs are high for clean-up, incarceration and child protective services. But the human cost of lives destroyed and children neglected and endangered is the real tragedy. An IACT Legislative Initiative for 2013 is to curb the making of meth in Indiana. The key ingredients used to make meth are ephedrine and

pseudoephedrine, which are available in over-the-counter drugs. Our goal is to require a doctor's prescription for medications sold that contain these ingredients.

Bills were filed to require prescriptions for meds containing these meth-making ingredients.

Rep. Rebecca Kubacki (R-Syracuse) is a leader on this issue in the House and authored [HB 1355](#). Representatives **Ben Smaltz** (R-Auburn), **Ron Bacon** (R-Chandler) and **Gail Riecken** (D-Evansville) signed onto the bill as co-authors. **Sen. Tim Skinner** (D-Terre Haute) also authored a similar bill, [SB 611](#). We appreciate their leadership and advocacy! Unfortunately, these bills did not receive a hearing. However, another bill coined as "Anti-Meth" is moving in SB 496.

SB 496 Control of Ephedrine and Pseudoephedrine (Yoder, R-Middlebury)

While we do not believe this bill goes far enough, it does keep the conversation going at the Statehouse. [SB 496](#) passed out the Senate 44-4. Rep. Jud McMillan (R-Brookville) will sponsor the bill in the House. The bill as amended in committee lowers the annual limit of ephedrine and pseudoephedrine an individual may purchase and a pharmacy or retailer may sell from 72 grams to 61.2 grams.

IACT Position: Neutral on SB 496, but hopeful the discussion will continue this session on the widespread problem of meth in Indiana.

Link to Bill: <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=496>

Meth Lab Data & News:

[Lab Incidents](#)

[Lab Stats](#)

[Labs Seized](#)

[Meth Stories in the News.](#)

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist at (317) 237-6200 or jswanson@citiesandtowns.org.

Cloverdale Food and Tax Bill Survives, As IACT Continues to Make Case for Statewide Municipal Authority

HB 1071 Municipal Food and Beverage Tax (Baird, R-Greencastle)

HB 1070 Cloverdale Food and Beverage Tax (Baird, R-Greencastle)

Although the vote came up short, this was the first time in decades this issue of statewide municipal food & beverage tax authority has even received a hearing in committee. Progress! HB 1071 would have allowed a municipality to adopt a 1% food and beverage tax via local ordinance. The bill failed to pass in the Ways and Means Committee last week by a vote of 8-11. Legislators who voted no indicated that they still prefer to have state control over local decisions on whether the tax should be implemented locally and how the revenue will be used. Notably, Ways & Means Chair Tim Brown (R-Crawfordsville) voted for the bill, which is encouraging for future efforts. We thank Rep. Jim Baird for his willingness to author the bill.

The town of Cloverdale in Rep. Baird's home district was also supportive of HB 1071 because of their need for revenue to offset utility costs from an IDEM mandated sewer improvement. After HB 1071 failed to pass, HB 1070, which provided a local food and beverage for Cloverdale only, passed the following day by a 20-1 vote. HB 1070 also survived the floor vote in the House yesterday at 65-31. Legislators, Rep. David Ober (R-Albion) and Rep. Wesco (R-Elkhart) were some of those to speak at the mic on this bill, voicing support for a statewide authority of food and beverage tax adoption versus the process of "cherry picking" that exists today. IACT is hopeful the discussion will continue.

IACT Position: Support.

Links to Bills:

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=1071>

<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&request=getBill&docno=1070>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

IACT Working to Resolve Unfair LOIT Distribution Issue

Last year, the state Director of the Office of Management and Budget announced that the state made some serious accounting errors which affected the distribution of local revenues. Since that revelation, an accounting firm was hired to do a state audit and a "Tax Working Group" was assembled. They found that when a county adopts a local option income tax, employers are required to collect and submit the tax to the state along with the state income tax. However, the Department of Revenue's system is such that locals are currently only receiving distributions of the local income tax based on tax returns filed. Many taxpayers don't file returns. For those taxpayers that don't file returns, their payment of local option income tax is kept by the state as un-reconciled cash. Several legislators have now been made aware of this problem and are asking for a correction and more transparency, including [Rep. Wes Culver](#) (R-Goshen), [Rep. David Ober](#) (R-Albion) and [Rep. Mark Messmer](#) (R-Jasper).

The "fix" we are being told would require new computer systems for the Indiana Department of Revenue. At this point in time, the legislature does not seem likely to invest in the computer upgrade needed. IACT will continue to work on this matter, with hopes that a remedy will be amended into a broader tax bill later.

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

More Clarification for PSAPs Needed, But Lack of Interest among Lawmakers

While drastic changes were made to PSAP funding last year in SEA 345, there were some issues that required more study. Particularly, more study was needed on the issue of revenue sharing to fund PSAPs (these E911 call centers) between counties and cities and towns. The Indiana Advisory Commission on Intergovernmental Relations (IACIR) took up the issue and released a [final report](#) prior to session. IACIR's final report recommended that county government, as recipient of the E911 revenue distribution, be responsible for the PSAPs in the county. The report also recommended that more transparency and audit authority was needed to insure that communication companies are collecting and submitting revenue properly. The IACT Legislative Committee agreed! Providing more clarification of city/town and county responsibilities for PSAPs is a 2013 IACT Initiative.

After making significant changes to the PSAP laws last year, legislators seem uninterested in taking up the issue again this year. No bills are moving this session to address the recommendations or IACT or IACIR. IACT will continue expressing the need for more clarity and transparency.

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

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IN Other Bills

Wholesale Sewage Service Bill Passes Out of Committee

SB 385 Regional Sewage Districts (Charbonneau, R-Valparaiso)

SB 385 passed out of the Senate Environmental Affairs Committee last week and was recommitted to the Appropriations Committee this week where it also passed. The bill provides that a utility that either provides or receives wholesale sewage service and negotiates to renew or enter into a new contract for wholesale sewage service may file a petition with the Indiana Utility Regulatory Commission (IURC) or a

For more information on any of these bills, please contact our Legislative Team at 317-237-2600, or email Rhonda Cook (rcook@citiesandtowns.org) or Justin Swanson (jswanson@citiesandtowns.org).

court to resolve a dispute. Representatives from the City of Fort Wayne testified in the Appropriations Committee that they felt having the IURC dispute resolution option was unnecessary.

The bill also provides that fees paid by municipal utilities shall be deposited into the municipal utility fund instead of to the state treasury. In addition, the bill also addresses waivers of annexation for certain users of a municipal sewage works.

IACT Position: Concerns.

Links to Bill: <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=385>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Bill Prohibits Locals from Setting Local Labor Standards

SB 213 (Boots, R-Crawfordsville)

SB 213, a vehicle bill, was amended in committee this week to contain language similar to the "Limitations on Home Rule" language that was defeated in the House Local Government Committee. The bill provides that, unless federal or state law provides otherwise, a county, city, town, or township may not establish, mandate, or otherwise require an employer to provide to an employee (excluding an employee of the county, city, town, or township) who is employed within the jurisdiction of the county, city, town, or township: (1) a benefit; (2) a term of employment; (3) a working condition; or (4) an attendance or leave policy; that exceeds the requirements of federal or state law, rules, or regulations.

IACT has concerns about this bill. At the very least, the bill needs to be amended to allow local units to negotiate terms of employment with employers who received economic development incentives.

IACT Position: Opposed as drafted.

Links to Bills:

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=213>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Casino Revenue Targeted

SB 528 Gaming (Boots R-Crawfordsville)

SB 528 authorizes the use of limited mobile gaming systems, authorizes table games at the racinos and allows riverboats to move inland to adjacent properties without the approval of the Indiana Gaming Commission.

This bill also provides an adjusted gross receipts (AGR) deduction of up to \$2 M annually for promotional free play provided by a riverboat casino or racino to patrons living outside of Indiana effective in FY 2014. The deduction reduces the taxable base for the riverboat wagering tax and the racino wagering tax. The amount of funds allocated to municipalities that benefit from these taxes will be reduced.

This also bill provides a nonrefundable income tax credit for a qualified capital investment on a gaming facility that exceeds \$2 M and is made towards: (1) onsite infrastructure improvements; (2) construction of a gaming facility or other buildings; (3) rehabilitation, alteration, or major repair of a gaming facility or other buildings or improvements; (4) installation of fixtures and equipment in a gaming facility or other buildings or improvements. The qualified capital investment must be approved by the Indiana Economic Development Commission and the tax credit is equal to 10% of the qualified investment.

SB 528 was ordered engrossed as amended on February 21, 2013 and will be heard on third reading early next week.

IACT Position: Have Concerns/Watching

Link to Bill: <http://www.in.gov/legislative/bills/2013/PDF/SB/SB0528.1.pdf>

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist at (317) 237-6200 or jswanson@citiesandtowns.org.

Mass Transit Amended on House Floor

HB 1011 Mass Transit (Torr, R-Carmel)

Representative Torr made remarks on the House floor that he believed this bill is a continuing work in progress and is sure to go to conference committee near the end of session.

Representative Turner offered a successful amendment that gives outer townships in the donut counties the ability to opt out of the mass transit vote/tax arguing these people would be forced to pay for a system they would not use. This provision will likely remove many "No" votes on the mass transit vote.

HB 1011 was ordered engrossed as amended on February 20, 2013 and will be heard for third reading early next week.

IACT Position: Support

Link to Bill: <http://www.in.gov/legislative/bills/2013/PDF/HB/HB1011.3.pdf>

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist at (317) 237-6200 or jswanson@citiesandtowns.org.

The Clerk-Treasurers' Bill is Ready for Passage by the 1st House

HB 1145 – Various Local Government Matters (Candelaria Reardon, D-Hammond)

This bill started out with the initiatives of the ILMCT. It was amended on 2nd reading in the House and is soon eligible for 3rd reading and adoption. It has picked up some additional items but is still favorable. HB 1145 authorizes a political subdivision or municipally owned utility to charge a reasonable fee for convenience when accepting a credit card or bank card for payments. The fee for credit and the like cards must be uniform and cannot be more than \$3. The fee would no longer have to be tied to the costs payable to the bank for the use of the card and despite prohibitions in the retail merchant agreements. Problems with the language in the Rainy Day Fund statutes are addressed and so is more flexibility to transfer Rainy Day funds. Unused and unencumbered funds from any fiscal year and certain specified sources may be transferred to a political subdivision's Rainy Day Fund at any time during the year. Also unobligated cash balances from any fiscal year and sources not specified by statute may be transferred to the Rainy Day Fund if the amount of the transfer is specified in an ordinance or resolution and the transfer is not more than 10% of the political subdivision's annual budget. Additionally publication requirements for ordinances adopted by a town are put on equal footing with cities in the bill. It provides that if a town publishes any of its ordinances in book or pamphlet form, no other publication is required in order for the ordinance to take effect and if the ordinance concerns a penalty or forfeiture for a violation of the ordinance it takes effect two weeks after there is publication in the town's code book or pamphlet.

Among the bills other provisions are procedures with regard to moving mobile homes, the assessment of mobile home not considered real property, mobile home community registries for the assessors and mobile home identification numbers. It also requests the legislative council to assign the topic of public library funding and organization to an interim study committee.

IACT Position: Support

Link to Bill:

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&session=1&request=getBill&docno=1145>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 237-6200 or rcook@citiesandtowns.org or Jodie Woods, IACT General Counsel at jwoods@citiesandtowns.org.

Regulation of Mopeds Watered Down on House Floor

HB 1523 (M. Smith, R-Columbus)

As introduced, this bill was attempting to regulate mopeds in the same manner as motorcycles. It would have required "motor driven cycle" owners to be insured and to register and title a "motor driven cycle" with the Bureau of Motor Vehicles. A motor driven cycle was defined as a motor vehicle with no more than three (3) wheels and intended to be driven at a speed that can exceed thirty (30) miles per hour.

Representative Dave Wolkins (R-Winona Lake) offered a successful amendment on the House floor that deleted the definition of a "motor driven cycle." He argued that people drive mopeds often as a last resort to get to their jobs and/or they cannot afford the expenses of owning a vehicle (title, registration, gas ect). This amendment effectively killed the intended purpose of regulating mopeds.

This bill also provides that mopeds are subject to county motor vehicle excise surtax and motor vehicle excise tax.

IACT Position: Watching

Link to Bill: <http://www.in.gov/legislative/bills/2013/PDF/HB/HB1011.3.pdf>

For more information, contact Justin E. Swanson, IACT Government Affairs Specialist at (317) 237-6200 or jswanson@citiesandtowns.org.

Bill to Raise Capital Improvement Funds for the Indianapolis Motor Speedway Passes Senate 3rd Reading

SB 91 Motorsports Investment District (Sen. M. Young, R – Indianapolis)

[SB 91](#) directs up to \$5 million a year in public funding for capital improvements to the Indianapolis Motor Speedway. It allows for the creation of a special taxing district that would transfer state sales and income taxes collected within the district to the Indianapolis Motor Speedway. The legislation would provide up to \$5 million annually over 20 years, only affecting taxes coming from land owned by the speedway. The Speedway would also contribute \$2 million a year for capital improvements.

The bill passed Senate 3rd reading (37-12) and now heads to the House for consideration.

IACT Position: Neutral

Link to Bill: <http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=91>

For more information, contact Michael Smith, IACT Government Affairs Coordinator at (317) 237-6200 ext. 237 or msmith@citiesandtowns.org.

Land Bank Bill Now Contains Language for a Summer Study

HB 1317 Land Banks and Tax Sales (Clere, R-New Albany)

HB 1317 was amended in committee to provide for a summer study on the issue. The bill is now eligible for third reading in the House.

IACT Position: Support study committee.

Links to Bill:

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=1317>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

Bill Permits Levy Adjustment for Municipality and Township Fire Protection

SB 229 (Boots, R-Crawfordsville)

SB 229 passed out of the Senate Local Government Committee. It provides that in the case of a township and a municipality in the township in which: (1) the township provides fire protection to the municipality; and (2) the municipality does not pay the township for any part of the township's cost in providing fire protection services; the department of local government finance shall make an adjustment to the maximum property tax levies of the township and municipality, if the adjustment is agreed to by the fiscal bodies of the township and municipality.

IACT Position: Support the bill as long as the requirement remains that both parties must agree.

Links to Bills:

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2013&request=getBill&docno=229>

For more information, contact Rhonda Cook, IACT Director of Government Affairs at (317) 694-1451 or rcook@citiesandtowns.org.

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IN Announcements



Register for IACT Legislative Day!
MARCH 19, 2013 | INDIANAPOLIS
[Details and Registration](#)
[Download Registration Form](#)

Please note:

**IACT Legislative Committee meeting
for March 15th has been cancelled.**

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