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FISCAL IMPACT STATEMENT

LS 6334

BILL NUMBER: HB 1234

NOTE PREPARED: Dec 14, 2008

BILL AMENDED:

SUBJECT: County Executives and Legislative Bodies.

FIRST AUTHOR: Rep. Moses

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: The bill permits a county to reorganize its executive and legislative structure and powers so that all executive authority is exercised by a single elected county executive and all legislative and fiscal powers are exercised by the county council. The bill provides that a reorganization may be adopted if: (1) the county executive adopts an ordinance (in Lake County or St. Joseph County, if an ordinance is adopted as required by law for either of those counties) to reorganize the county executive and legislative powers or a specified number of voters sign a petition for reorganization; and (2) the reorganization is approved by the voters of the county. It also provides that a reorganization can be approved only in an even-numbered year. The bill provides that if the county's voters vote in favor of the public question, the first single-member county executive would be elected at the second general election that is held after the general election at which the voters approve the reorganization.

It provides that the county council in a reorganized county consists of seven members, four elected from districts and three elected at large (except for Lake County and St. Joseph County, in which county councils would remain as constituted under current law). It provides for transition from a three-member county executive to the single-member county executive.

The bill provides that if a county adopts a single county executive form of government, the county council rather than the county executive is responsible for redistricting the county council. (In Lake County, the county redistricting commission would continue to redistrict county council districts.) The bill also provides that the only reason that county council districts may be changed after the first redistricting after a decennial census is to conform the districts to statutory requirements.

Effective Date: Upon passage; July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Reorganization of County Executive and Legislative Structure:* The effect of the bill will depend on the voters adopting the public question and the decisions of the county council. If the public question is adopted, no current county executive or legislative responsibility is reduced or eliminated. The duties are reassigned from a three-member board of county commissioners to a single, elected county executive, which could reduce compensation costs. However, executive compensation is determined by the county fiscal body, and any cost savings will result from the decisions of the fiscal body. Officers are compensated from the county general fund.

Background and Additional Details - In counties other than Lake, Marion, and St. Joseph Counties, the board of county commissioners is the executive body of the county. All executive and administrative powers or duties of the county, except those expressly assigned by law to other elected or appointed officials, are assigned to the board of county commissioners. Also, the board of county commissioners has many assigned and authorized responsibilities. Examples include:

- (1) Establishing procedures for all county departments, offices, and agencies under its jurisdiction.
- (2) Administering all statutes applicable to the county and its ordinances and regulations.
- (3) Supervising the care and custody of all county property, the collection of revenues, and the control of disbursements and expenditures, and reporting on the same.
- (4) Determining the nature and extent of all county improvements.
- (5) Negotiating contracts for the county.

Under the bill, the county executive would have specific reporting duties to both the residents of the county and the legislative body, would make recommendations concerning county improvements and actions, and would have approval/veto powers on ordinances passed by the county legislative body.

The county council is the fiscal body of the county. In all counties, except Lake, Marion, and St. Joseph County, the county council is a seven-member body. Lake and St. Joseph Counties have 9 members, and Marion County has 29 members.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Counties.

Information Sources:

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