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**FISCAL IMPACT STATEMENT**

**LS 7544**

**BILL NUMBER: SB 550**

**NOTE PREPARED: Jan 14, 2009**

**BILL AMENDED:**

**SUBJECT:** County Government.

**FIRST AUTHOR:** Sen. Lawson C

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** *Resolution Regarding County Executive:* The bill provides that in counties other than Marion County, the county commissioners shall after January 1, 2011, and before July 1, 2011, adopt a resolution specifying whether:

- (1) the voters of the county shall elect a single county chief executive officer who has the executive powers and duties of the county and a county council that has the legislative and fiscal powers and duties of the county; or
- (2) the voters of the county shall elect a county council that is a combined county executive, legislative, and fiscal body that has the executive, legislative, and fiscal powers and duties of the county.

*County Commissioners Eliminated:* The bill provides that in counties other than Marion County, county commissioners are eliminated effective January 1, 2013. It specifies that after December 31, 2012, certain powers currently exercised by a county's board of commissioners shall be exercised by the county council.

*County Chief Officer:* The bill provides that in counties with a county chief executive officer, the initial county chief executive officer is elected at the November 2012 general election.

*Combined County Council:* The bill provides that in counties with a county council that is a combined county executive, legislative, and fiscal body, the county council shall have three members elected from districts and two members elected at large.

*Appointed Officers:* The bill also provides that if the Constitution of the State of Indiana is amended so that it no longer requires the election in each county of a recorder, surveyor, coroner, auditor, or treasurer,

individuals shall be appointed to those offices by the county executive (rather than elected) in counties other than Marion County. It specifies that individuals holding those offices at the time the Constitution is amended in such a manner may remain in office until the end of their terms of office.

*County Assessor:* The bill provides that in counties other than Marion County, on the earlier of the end of the county assessor's term of office or a date after June 30, 2009, that the office of county assessor becomes vacant, the county executive shall appoint an individual to serve as county assessor and that the county assessor shall no longer be elected.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *County Commissioners/County Executive/County Council:* The bill does not delete any current county executive, legislative, or fiscal responsibility. Instead in 2011, the county commissioners adopt a resolution specifying whether the voters of the county will elect a single county chief executive and a county council with legislative and fiscal powers, or a five-member county council with executive, legislative, and fiscal powers and duties. Results will vary as each county (except Marion) selects its form of government.

Officer compensation is determined by the county fiscal body and any cost savings from reducing the number of individuals forming the county executive will result from the decisions of the fiscal body. Officers are compensated from the county general fund.

*Elimination of Elected Officers:* The county assessor will be appointed by the county executive in 2010 and thereafter. If the state Constitution is amended, and the office of recorder, surveyor, coroner, auditor, and treasurer are no longer elected, the county executive will appoint the office. The costs savings by not having these officials on the ballot would be minimal since they are elected during a general election.

*Report Copies:* The bill eliminates a requirement that the circuit court clerk provide the county auditor with three copies of a report and instead provide sufficient copies. Cost savings could occur if fewer copies are required.

**Background and Additional Details -**

*Counties Adopting an Elected Chief Executive:* In counties without a consolidated city, 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) Determine 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 both the legislative and fiscal body of the county. Under the bill, many of responsibilities of the board of county commissioners transfer to the county council. Examples include:

- 1) Receiving evidence and adopting an ordinance concerning improperly conducted general reassessment or other reassessment activity.
- 2) Granting funds to any commuter transportation system serving or passing through a county to purchase equipment or other capital improvements.
- 3) Authorizing creation of a port authority.

*Counties Adopting a County Council:* The bill allows for the county commissioners or the county redistricting commission (if applicable) to divide the county into three districts that are compact and subject to natural boundaries, have nearly equal populations, and that do not cross precinct lines. The four-year terms of office are staggered by having the initial at-large members serve a two-year term.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.