

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1072 be amended to read as follows:

- 1 Page 152, between lines 28 and 29, begin a new paragraph and
- 2 insert:
- 3 "SECTION 112. [EFFECTIVE UPON PASSAGE] **(a) This section**
- 4 **applies to a fire protection district:**
- 5 **(1) that was initially established in 2011;**
- 6 **(2) whose maximum levy and cumulative fund rate were first**
- 7 **established and approved by the department of local**
- 8 **government finance in 2011;**
- 9 **(3) that properly and timely advertised its budget, rates and**
- 10 **levies in 2011 for the 2012 calendar year;**
- 11 **(4) whose budget, rates and levies were disallowed by the**
- 12 **department of local government finance in 2012 due to**
- 13 **confusion as to whether the county council that created the**
- 14 **fire protection district held a public hearing on said budget,**
- 15 **rates, and levies;**
- 16 **(5) whose 2012 budget, rates, and levies were nonetheless**
- 17 **timely considered in an open meeting of the county council,**
- 18 **and were timely reviewed and approved by the county**
- 19 **council; and**
- 20 **(6) that may experience a significant revenue shortfall in 2012**
- 21 **and 2013, requiring the district to seek funds in addition to**
- 22 **the amounts available to the district to provide essential fire**
- 23 **protection to district residents.**
- 24 **(b) A fire protection district described in this section may**
- 25 **borrow a specified amount of money if:**
- 26 **(1) the board of fire trustees of the district finds that:**
- 27 **(A) an emergency exists requiring the expenditure of**
- 28 **money not available to the fire district; and**
- 29 **(B) the emergency requiring the expenditure of money is**
- 30 **related to paying the operating expenses and obligations of**

- 1 **the district; and**
- 2 **(2) the fiscal body of the county approves the expenditure of**
- 3 **the money.**
- 4 **(c) A fire protection district shall comply with IC 36-8-11-17**
- 5 **with respect to a borrowing under this section.**
- 6 **(d) The county fiscal body shall levy property taxes in an**
- 7 **amount sufficient to cover payments due under the borrowing**
- 8 **authorized under this section.**
- 9 **(e) This section expires December 31, 2014."**
- 10 Renumber all SECTIONS consecutively.
 (Reference is to EHB as printed February 24, 2012.)

Senator HEAD