

IC 36-12-4

Chapter 4. Merger of Class 1 Public Libraries

IC 36-12-4-1

Application of chapter

Sec. 1. This chapter applies only to Class 1 public libraries.
As added by P.L.1-2005, SEC.49.

IC 36-12-4-2

Authorization to merge; resolution

Sec. 2. (a) A public library may merge with any other public library.

(b) The merger of at least two (2) public libraries must be initiated by a majority of the entire membership of each library board signing a resolution initiating the planning of a merger.

As added by P.L.1-2005, SEC.49.

IC 36-12-4-3

Planning committee; plan for merger; adoption

Sec. 3. (a) Not more than thirty (30) days after a resolution calling for the planning of a merger is signed under section 2 of this chapter, each library board seeking to merge under this chapter shall appoint three (3) individuals to serve on a planning committee to develop a plan for the merger of the libraries.

(b) The plan for the merger must include the following information:

(1) A designation of the primary library that:

(A) is one (1) of the libraries seeking to merge; and

(B) will continue to exist as a legal entity following the merger.

(2) A description of the services to be offered by the merged library.

(3) The terms and conditions upon which the transfer of property among the merging libraries will be achieved.

(4) A schedule for the merger process to begin and conclude.

(5) Any other pertinent matter.

(c) The plan must be completed not later than one (1) year from the date that the resolution calling for the planning of the merger is signed.

(d) Upon completion of the plan described in subsection (b), the plan shall be presented to the library board of each merging library for adoption.

(e) A merger is not considered final unless a majority of the membership of each library board adopts the plan by written resolution.

As added by P.L.1-2005, SEC.49.

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Filing resolution; interim board; combination of budgets; new budget and tax levy

Sec. 4. (a) A copy of the resolution adopting the merger described in section 3(e) of this chapter must be filed with:

- (1) the county recorder in each county in which merging library districts are located; and
- (2) the Indiana state library.

(b) After the resolution adopting the merger is filed, each library board that is not the board of the primary library shall appoint four (4) members to serve with the primary library board on an interim board.

(c) The interim board has the same duties and powers of a public library board under IC 36-12-3.

(d) After the resolution adopting the merger is filed, the budgets of the merging libraries shall be:

- (1) combined for the remainder of the current year; and
- (2) administered by the interim board.

(e) The interim board described in subsection (b) is dissolved on December 31 of the year in which the merger takes place.

(f) The members of a merged library board shall be appointed under IC 36-12-2, and the terms of office for the members of the merged library board begin January 1 following the dissolution of the interim board.

(g) If a merger takes place after December 31 but before July 1 of the ensuing year, the interim library board described in subsection (b) shall present a new budget and tax rate to the department of local government finance to receive a new tax levy for the merged library district.

(h) If a merger takes place after June 30 but before January 1 of the ensuing year, the merged library board described in subsection (f) shall present a new budget and tax rate to the department of local government finance to receive a new tax levy for the merged library district.

As added by P.L.1-2005, SEC.49.

IC 36-12-4-5

Repealed

(Repealed by P.L.84-2012, SEC.25.)