

IC 36-1-23

Chapter 23. Fiscal Body Members Serving as Volunteer Firefighters; Abstention From Voting

IC 36-1-23-1

"Unit"

Sec. 1. As used in this section, "unit" means a city, town, or township.

As added by P.L.184-2015, SEC.13.

IC 36-1-23-2

Abstention from voting on budget and tax levies

Sec. 2. A member of the fiscal body of a unit may not participate in a vote on the adoption of the unit's budget and tax levies if the member is a volunteer firefighter in:

- (1) a volunteer fire department; or
- (2) a fire department;

that provides fire protection services to the unit under a contract (excluding a mutual aid agreement) or as the unit's fire department.

As added by P.L.184-2015, SEC.13.

IC 36-1-23-3

Majority of fiscal body members abstain from voting; continuation of previous year's budget and tax levies

Sec. 3. Notwithstanding any other law, if at least a majority of the members of the unit's fiscal body are precluded from voting on the unit's budget and tax levies under section 2 of this chapter, the unit's most recent annual appropriations are continued for the ensuing budget year, subject to the following:

- (1) The executive of the unit may petition the county fiscal body for an increase in the unit's budget under section 4 of this chapter.
- (2) The executive of the unit may petition the county fiscal body for any additional appropriations under section 5 of this chapter.

As added by P.L.184-2015, SEC.13.

IC 36-1-23-4

Petition for increase in budget and property tax levies

Sec. 4. The executive of the unit may petition the county fiscal body for an increase in the unit's budget and property tax levies. The county fiscal body may grant or deny the petition only after conducting a public hearing on the petition.

As added by P.L.184-2015, SEC.13.

IC 36-1-23-5

Petition for additional appropriations

Sec. 5. The county fiscal body may adopt any additional

appropriations of the unit by ordinance before the department of local government finance may approve the additional appropriation.
As added by P.L.184-2015, SEC.13.