

County Clerks
Annual Meeting
2007

Petition/Remonstrance

Petition/Remonstrance

Origination
Phase I
Phase II

Petition/Remonstrance

ORIGINATION

A political subdivision decides to incur debt or enter into a lease - Preliminary determination (IC 6-1.1-20-3.1)

Notice published in accordance with IC 5-3-1

Petition/Remonstrance

Notice to property owners and registered voters:

May initiate a petition/remonstrance against the proposed debt service or lease payments

Must file a petition not later than 30 days after publication of notice – Phase I

Petition/Remonstrance

PHASE I – PETITION

Filed not later than 30 days after publication of the notice by:

Lesser of:

100 persons who are either owners of real property or registered voters, or 5% of the registered voters within the political subdivision

Phase I petition requests the application of a petition remonstrance process

Petition/Remonstrance

PHASE I – PETITION

County voter registration office must provide upon request the number of petition forms requested.

Petition/Remonstrance

PHASE I – PETITION

- Carrier and signers must be owners of real property or registered voters
- Carrier must be a signatory on the petition
- Carrier must swear or affirm before a notary
- Each person signing must indicate property owner or registered voter
- Each counterpart may be circulated by only one person (signatures made in the presence of that person)

Petition/Remonstrance

PHASE I – PETITION

- Voter registration office shall determine whether each person is a registered voter
- Provide copy of the petition to county auditor not more than 15 days after receiving
- Not more than 10 days after receiving petition, the county auditor shall provide verification – Form 201M
- Final determination to be made by the county voter registration office not more than 10 business days after receiving county auditor verification - Form 201N

Petition/Remonstrance

PHASE II – PETITION/REMONSTRANCE

If the application of a petition/remonstrance process has been filed (Phase I), the political subdivision may not impose property taxes to pay debt service or lease rentals without giving notice of the petition/remonstrance process.

Petition/Remonstrance

PHASE II - NOTICE

Notice to property owners and registered voters:

Who want to petition in favor of or remonstrance against the proposed debt service or lease payments must file petitions and remonstrances **not earlier than 30 days or later than 60 days** after publication of the notice.

Petition/Remonstrance

PHASE II – Petition and Remonstrance Forms

County voter registration office must provide upon request the number of petition/remonstrance forms requested.

Log each Counterpart issued – Forms 201D and 201H

Petition/Remonstrance

PHASE II – Petition and Remonstrance Forms

- Carrier and signers must be owners of real property or registered voters
- Carrier must be a signatory on the petition
- Carrier must swear or affirm before a notary
- Each person signing must indicate property owner or registered voter

Petition/Remonstrance

PHASE II – PETITION and REMONSTRANCE Forms

- Voter registration office shall determine whether each person is a registered voter
- Provide copy of the petition to county auditor not more than 15 days after receiving
- Not more than 10 days after receiving petition, the county auditor shall provide verification – Form 201J
- Final determination to be made by the county voter registration office not more than 10 business days after receiving county auditor verification - Form 201O

Petition/Remonstrance

PHASE II – PETITION and REMONSTRANCE Forms

Petition or remonstrance containing more than 10,000 signatures

CVR – additional 5 days to review and certify for each additional 5,000 signatures (up to a max. of 60 days)

Removing signature from a petition or remonstrance form – Form 201C

Phase II Forms

County Form No. 201 (2007)	Taxpayer Petition In Favor Of
County Form No. 201A (2007)	Taxpayer Counterpart In Favor Of
County Form No. 201B (2007)	Verifying Affidavit (In Favor Of)
County Form No. 201C (2007)	Verified Request to Remove Signature
County Form No. 201D (2007)	Log of Counterparts (In Favor Of)
County Form No. 201E (2007)	Taxpayer Remonstrance In Opposition
County Form No. 201F (2007)	Taxpayer Counterpart in Opposition
County Form No. 201G (2007)	Verifying Affidavit (In Opposition)
County Form No. 20H1 (2007)	Log of Counterparts (In Opposition)
County Form No. 201I (2007)	Instructions Relative to Circulation
County Form No. 201J (2007)	Auditor's Verification Statement
County Form No. 201O (2007)	Voter Registration Office Certificate

Phase I Forms

County Form No. 201K (2007)	Petition Requesting the Application of a Petition and Remonstrance Process
County Form No. 201L (2007)	Instruction Relative to Circulation of Petition Requesting the Application of a Petition and Remonstrance Process
County Form No. 201M (2007)	Auditor's Verification Statement
County Form No. 201N (2007)	Voter Registration Office Certificate

[TO BE PRINTED ON YELLOW PAPER]

TO BE COMPLETED BY VOTER	
REGISTRATION OFFICE	
Counterpart Number:	_____
Date Issued:	_____
Date Returned:	_____
Number of Registered Voters:	_____
Number of Owners:	_____
Number Not Counted:	_____
Total Signatures:	_____

PETITION
IN FAVOR OF

_____ [Insert Project Description] _____

TO: _____ [Insert Governing Board of Taxing Unit]

We the undersigned owners of real property and/or registered voters in _____ [Taxing Unit] _____ County, Indiana, are in favor of and hereby petition **FOR** the following proposals to (lease) (issue bonds) for a term of _____ years and a maximum (annual rental) (debt service) of \$ _____:

_____ [Insert Project Description]

This petition may be circulated in several counterparts, and all of said counterparts are to be considered as constituting one petition.

For use by: _____ County Voter Registration Office Only

This Petition for _____ [Insert Project Description] _____ is hereby certified to have been issued by the _____ [Insert name of County] Voter Registration Office on _____ [Insert Date] _____.

(Signature)

(Title)

By: _____

[TO BE PRINTED ON YELLOW PAPER]

COUNTERPART NO. _____

IN FAVOR OF

[Insert Project Description]

**Check one
box only**

One Property Owner or Registered Voter Per Number

Real Property Owner

Registered Voter

Name

Address of Real Property or Registered Voter

1. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

2. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

3. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

4. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

5. Signature: _____

Printed Address: _____

Printed: _____

Date Signed: _____

Township: _____

VERIFIED REQUEST TO REMOVE PETITION OR REMONSTRANCE SIGNATURE

The undersigned, an owner of real property or a registered voter in the taxing unit of _____ [Insert Name] _____, who being duly sworn by the undersigned Notary Public, requests that the _____ [Insert Name of County] _____ County Voter Registration Office remove the undersigned's name from the .

PETITION/REMONSTRANCE (circle one)

signed (for) (against) the proposed _____ [Insert Project Description] _____, which was signed before the date of this request.

Signature

Printed Name

Address of real property or registered voter

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public in and for said county and State, this _____ day of _____, _____.

[Seal]

Notary Public

Printed: _____

My Commission Expires: _____

County of Residence: _____

LOG OF COUNTERPARTS OF PETITION IN FAVOR OF

[Insert Project Description]

[Insert Name of Issuer]

Petition Deadline _____

Counterpart No.	Date Issued	Date Returned	Number of Signatures	Number of Verified Registered Voters	Number of Verified Owners	Number Not Counted
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

Totals _____