

# HOUSE BILL No. 1166

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-14.

**Synopsis:** Redevelopment commission membership. Requires one member of a municipal or county redevelopment commission (commission) appointed by the executive of the municipality or county after December 31, 2019, to be: (1) a member of the governing body of a school corporation; or (2) an individual recommended by the governing body of a school corporation; that is located within the commission's territory. Provides that if there is more than one school corporation within the commission's territory, the individual must be a member of, or recommended by, the governing body of the school corporation having the largest average daily membership. Effective January 1, 2020, eliminates the appointment of and term of office of a nonvoting adviser to the commission. Provides that the executive of the municipality for a municipal redevelopment commission, or the president of the county executive for a county redevelopment commission, serves as an ex officio member of the commission to cast the deciding vote to break a tie.

**Effective:** July 1, 2019.

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## Cook, Mahan

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January 8, 2019, read first time and referred to Committee on Local Government.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

# HOUSE BILL No. 1166

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 36-7-14-6.1, AS AMENDED BY P.L.55-2016,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 6.1. (a) The five (5) commissioners for a  
4 municipal redevelopment commission shall be appointed as follows:  
5 (1) Three (3) **commissioners** shall be appointed by the municipal  
6 executive. **For terms of office beginning after December 31,**  
7 **2019, one (1) commissioner appointed under this subdivision**  
8 **shall be:**  
9 (A) **a member of the governing body of:**  
10 (i) **the school corporation; or**  
11 (ii) **the school corporation that has the largest average**  
12 **daily membership, if there is more than one (1) school**  
13 **corporation;**  
14 **located within the territory served by the municipal**  
15 **redevelopment commission; or**  
16 **(B) an individual recommended by the governing body of**  
17 **the school corporation described in clause (A).**



- 1 (2) Two (2) **commissioners** shall be appointed by the municipal  
 2 legislative body.
- 3 **The municipal executive is an ex officio member of the municipal**  
 4 **redevelopment commission for the purpose of casting the deciding**  
 5 **vote to break a tie.** The municipal executive shall also appoint an  
 6 individual to serve **for terms of office beginning July 1, 2008, and**  
 7 **ending December 31, 2019,** as a nonvoting adviser to the  
 8 redevelopment commission. ~~beginning July 1, 2008.~~
- 9 (b) The commissioners for a county redevelopment commission that  
 10 has five (5) members shall be appointed as follows:
- 11 (1) ~~The county executive shall appoint all the members whose~~  
 12 ~~terms of office begin before January 1, 2008.~~
- 13 (2) ~~For terms of office beginning after December 31, 2007, the~~  
 14 ~~county executive shall appoint (1) Three (3) members shall be~~  
 15 ~~appointed by the county executive. and For terms of office~~  
 16 ~~beginning after December 31, 2019, one (1) member appointed~~  
 17 ~~under this subdivision shall be:~~
- 18 (A) a member of the governing body of:
- 19 (i) the school corporation; or
- 20 (ii) the school corporation that has the largest average  
 21 daily membership, if there is more than one (1) school  
 22 corporation;  
 23 located within the territory served by the county  
 24 redevelopment commission; or
- 25 (B) an individual recommended by the governing body of  
 26 the school corporation described in clause (A).
- 27 (2) ~~the county fiscal body shall appoint Two (2) members shall be~~  
 28 ~~appointed by the county fiscal body.~~
- 29 **The president of the county executive is an ex officio member of the**  
 30 **county redevelopment commission for the purpose of casting the**  
 31 **deciding vote to break a tie.** The county executive shall also appoint  
 32 an individual to serve **for terms of office beginning July 1, 2008, and**  
 33 **ending December 31, 2019,** as a nonvoting adviser to the  
 34 redevelopment commission. ~~beginning July 1, 2008.~~
- 35 (c) The commissioners for a county redevelopment commission that  
 36 has seven (7) members shall be appointed as follows:
- 37 (1) ~~The county executive shall appoint all the members whose~~  
 38 ~~terms of office begin before January 1, 2008.~~
- 39 (2) ~~For terms of office beginning after December 31, 2007, the~~  
 40 ~~county executive shall appoint (1) Four (4) members shall be~~  
 41 ~~appointed by the county executive. and For terms of office~~  
 42 ~~beginning after December 31, 2019, one (1) member appointed~~



1           **under this subdivision shall be:**

2           **(A) a member of the governing body of:**

3           **(i) the school corporation; or**

4           **(ii) the school corporation that has the largest average**  
 5           **daily membership, if there is more than one (1) school**  
 6           **corporation;**

7           **located within the territory served by the county**  
 8           **redevelopment commission; or**

9           **(B) an individual recommended by the governing body of**  
 10           **the school corporation described in clause (A).**

11           **(2) the county fiscal body shall appoint Three (3) members shall**  
 12           **be appointed by the county fiscal body.**

13           **The president of the county executive is an ex officio member of the**  
 14           **county redevelopment commission for the purpose of casting the**  
 15           **deciding vote to break a tie.** The county executive shall also appoint  
 16           an individual to serve **for terms of office beginning July 1, 2008, and**  
 17           **ending December 31, 2019**, as a nonvoting adviser to the  
 18           redevelopment commission. ~~beginning July 1, 2008.~~

19           (d) A nonvoting adviser appointed under this section:

20           (1) must also be a member of the school board of a school  
 21           corporation that includes all or part of the territory served by the  
 22           redevelopment commission or an individual recommended by the  
 23           school board to the entity that appoints the nonvoting adviser;

24           (2) is not considered a member of the redevelopment commission  
 25           for purposes of this chapter but is entitled to attend and  
 26           participate in the proceedings of all meetings of the  
 27           redevelopment commission;

28           (3) is not entitled to a salary, per diem, or reimbursement of  
 29           expenses;

30           (4) serves for a term of two (2) years and until a successor is  
 31           appointed; and

32           (5) serves at the pleasure of the entity that appointed the  
 33           nonvoting adviser.

34           **This subsection expires January 1, 2020.**

35           SECTION 2. IC 36-7-14-10, AS AMENDED BY P.L.146-2008,  
 36           SECTION 724, IS AMENDED TO READ AS FOLLOWS  
 37           [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) A:

38           (1) redevelopment commissioner; or

39           (2) ~~a~~ **(before January 1, 2020)** nonvoting adviser;

40           appointed under section 6.1 of this chapter may not have a pecuniary  
 41           interest in any contract, employment, purchase, or sale made under this  
 42           chapter. However, any property required for redevelopment purposes



1 in which a commissioner or **(before January 1, 2020)** nonvoting  
2 adviser has a pecuniary interest may be acquired, but only by gift or  
3 condemnation.  
4 (b) A transaction made in violation of this section is void.

