

HOUSE BILL No. 1284

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7.

Synopsis: University compliance with historic preservation. Provides that the real property of a state educational institution (Ball State University, Indiana State University, Indiana University, Ivy Tech Community College, Purdue University, University of Southern Indiana, and Vincennes University) that is located in a historic preservation district of a municipality is subject to any ordinances and rules governing the historic preservation district. Provides that the municipality's historic preservation commission must issue a certificate of appropriateness before the state educational institution may demolish, move, or change the exterior of a building or construct any new buildings or structures on the real property.

Effective: July 1, 2014.

Pierce

January 14, 2014, read first time and referred to Committee on Local Government.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1284

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 36-7-4-1104 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1104. (a) As used in
 3 this section, "state agency" means all agencies, boards, commissions,
 4 departments, and institutions, including a state educational ~~institutions~~
 5 ~~of the state~~. **institution (as defined in section 1104.5 of this chapter).**
 6 (b) **ADVISORY—AREA. Except as provided in section 1104.5 of**
 7 **this chapter**, this chapter does not restrict or regulate (or authorize any
 8 political subdivision, legislative body, plan commission, or board of
 9 zoning appeals to restrict or regulate):
 10 (1) the exercise of the power of eminent domain by the state or by
 11 any state agency; or
 12 (2) the use of property owned or occupied by the state or by any
 13 state agency.
 14 SECTION 2. IC 36-7-4-1104.5 IS ADDED TO THE INDIANA
 15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2014]: **Sec. 1104.5. (a) As used in this section,**



1 **"state educational institution" refers to the following:**

- 2 (1) **Ball State University.**
 3 (2) **Indiana State University.**
 4 (3) **Indiana University.**
 5 (4) **Ivy Tech Community College.**
 6 (5) **Purdue University.**
 7 (6) **University of Southern Indiana.**
 8 (7) **Vincennes University.**

9 (b) **This section applies only to the real property, buildings, and**
 10 **structures of a state educational institution that are located within**
 11 **a historic preservation district established under IC 36-7-11,**
 12 **IC 36-7-11.1, or prior law.**

13 (c) **The real property, buildings, and structures of a state**
 14 **educational institution are subject to any:**

- 15 (1) **ordinances adopted by the municipality under:**
 16 (A) **this chapter; or**
 17 (B) **IC 36-7-11, IC 36-7-11.1, or prior law; and**
 18 (2) **rules and policies of the historic preservation commission**
 19 **of the municipality;**

20 **that govern the historic preservation district. The historic**
 21 **preservation commission must approve and issue a certificate of**
 22 **appropriateness before the state educational institution may take**
 23 **any action set forth in IC 36-7-11-10 with regard to the real**
 24 **property, buildings, and structures.**

25 SECTION 3. IC 36-7-11-3.5 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 27 1, 2014]: Sec. 3.5. (a) **As used in this section, "state educational**
 28 **institution" refers to the following:**

- 29 (1) **Ball State University.**
 30 (2) **Indiana State University.**
 31 (3) **Indiana University.**
 32 (4) **Ivy Tech Community College.**
 33 (5) **Purdue University.**
 34 (6) **University of Southern Indiana.**
 35 (7) **Vincennes University.**

36 (b) **This section applies only to the real property, buildings, and**
 37 **structures of a state educational institution that are located within**
 38 **a historic preservation district established under this chapter or**
 39 **prior law.**

40 (c) **The real property, buildings, and structures of a state**
 41 **educational institution are subject to any:**

- 42 (1) **ordinances adopted by the municipality under:**



- 1 (A) this chapter or prior law; or
 2 (B) IC 36-7-4; and
 3 (2) rules and policies of the commission;
 4 that govern the historic preservation district. The commission must
 5 approve and issue a certificate of appropriateness before the state
 6 educational institution may take any action set forth in section 10
 7 of this chapter with regard to the real property, buildings, and
 8 structures.
- 9 SECTION 4. IC 36-7-11.1-7.5 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2014]: Sec. 7.5. (a) As used in this section,
 12 "state educational institution" refers to the following:
- 13 (1) Ball State University.
 14 (2) Indiana State University.
 15 (3) Indiana University.
 16 (4) Ivy Tech Community College.
 17 (5) Purdue University.
 18 (6) University of Southern Indiana.
 19 (7) Vincennes University.
- 20 (b) This section applies only to the real property, buildings, and
 21 structures of a state educational institution that are located within
 22 a historic preservation district established under this chapter or
 23 prior law.
- 24 (c) The real property, buildings, and structures of a state
 25 educational institution are subject to any:
- 26 (1) ordinances adopted by the municipality under:
 27 (A) this chapter or prior law; or
 28 (B) IC 36-7-4; and
 29 (2) rules and policies of the commission;
 30 that govern the historic preservation district. The commission must
 31 approve and issue a certificate of appropriateness before the state
 32 educational institution may take any action set forth in section 9 of
 33 this chapter with regard to the real property, buildings, and
 34 structures.

