

HOUSE BILL No. 1291

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7.

Synopsis: Redevelopment commissions. Requires one member of a municipal or county redevelopment commission (commission) appointed by the executive of the municipality or county after December 31, 2020, to be: (1) a member of the governing body of the school corporation within the territory or, if there are multiple school corporations, a member of the governing body of the school corporation with the largest average daily membership; or (2) an individual recommended by the governing body of the school corporation within the territory or, if there are multiple school corporations within the territory, an individual recommended by the governing body of the school corporation with the largest average daily membership. Effective January 1, 2021, 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. Adds additional information that the commission's annual presentation of information to taxing units located within the commission's allocation area must include, and specifies that the presentation must include school corporations located within the allocation area.

Effective: July 1, 2020.

Abbott

January 14, 2020, read first time and referred to Committee on Ways and Means.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1291

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, 2020]: 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, **one (1) of whom shall be appointed in accordance**
7 **with section 6.2 of this chapter, for terms of office beginning**
8 **after December 31, 2020.**
9 (2) Two (2) **commissioners** shall be appointed by the municipal
10 legislative body.
11 **The municipal executive is an ex officio member of the municipal**
12 **redevelopment commission for the purpose of casting the deciding**
13 **vote to break a tie.** The municipal executive shall also appoint an
14 individual to serve **for terms of office beginning July 1, 2008, and**
15 **ending December 31, 2020,** as a nonvoting adviser to the
16 redevelopment commission. ~~beginning July 1, 2008.~~
17 (b) The commissioners for a county redevelopment commission that



- 1 has five (5) members shall be appointed as follows:
- 2 (1) The county executive shall appoint all the members whose
- 3 terms of office begin before January 1, 2008.
- 4 (2) For terms of office beginning after December 31, 2007, the
- 5 county executive shall appoint (1) Three (3) members and shall
- 6 be appointed by the county executive, and one (1) of whom
- 7 shall be appointed in accordance with section 6.2 of this
- 8 chapter, for terms of office beginning after December 31,
- 9 2020.
- 10 (2) the county fiscal body shall appoint Two (2) members shall be
- 11 appointed by the county fiscal body.
- 12 **The president of the county executive is an ex officio member of the**
- 13 **county redevelopment commission for the purpose of casting the**
- 14 **deciding vote to break a tie.** The county executive shall also appoint
- 15 an individual to serve **for terms of office beginning July 1, 2008, and**
- 16 **ending December 31, 2020,** as a nonvoting adviser to the
- 17 redevelopment commission. ~~beginning July 1, 2008.~~
- 18 (c) The commissioners for a county redevelopment commission that
- 19 has seven (7) members shall be appointed as follows:
- 20 (1) The county executive shall appoint all the members whose
- 21 terms of office begin before January 1, 2008.
- 22 (2) For terms of office beginning after December 31, 2007, the
- 23 county executive shall appoint (1) Four (4) members and shall be
- 24 appointed by the county executive, one (1) of whom shall be
- 25 appointed in accordance with section 6.2 of this chapter, for
- 26 terms of office beginning after December 31, 2020.
- 27 (2) the county fiscal body shall appoint Three (3) members shall
- 28 be 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, 2020,** as a nonvoting adviser to the
- 34 redevelopment commission. ~~beginning July 1, 2008.~~
- 35 (d) A nonvoting adviser appointed under this section:
- 36 (1) must also be a member of the school board of a school
- 37 corporation that includes all or part of the territory served by the
- 38 redevelopment commission or an individual recommended by the
- 39 school board to the entity that appoints the nonvoting adviser;
- 40 (2) is not considered a member of the redevelopment commission
- 41 for purposes of this chapter but is entitled to attend and
- 42 participate in the proceedings of all meetings of the



1 redevelopment commission;

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

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

6 (5) serves at the pleasure of the entity that appointed the
7 nonvoting adviser.

8 **This subsection expires January 1, 2021.**

9 SECTION 2. IC 36-7-14-6.2 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2020]: **Sec. 6.2. (a) This section applies to municipal or county
12 redevelopment commission member terms beginning after
13 December 31, 2020.**

14 **(b) One (1) of the commissioners appointed under section
15 6.1(a)(1), 6.1(b)(1), or 6.1(c)(1) of this chapter shall be:**

16 **(1) a member of:**

17 **(A) the governing body of the school corporation located
18 within the commission's territory; or**

19 **(B) if there are multiple school corporations within the
20 commission's territory, the governing body of the school
21 corporation within the commission's territory that has the
22 largest average daily membership; or**

23 **(2) recommended by:**

24 **(A) the governing body of the school corporation located
25 within the commission's territory; or**

26 **(B) if there are multiple school corporations within the
27 commission's territory, the governing body of the school
28 corporation within the commission's territory that has the
29 largest average daily membership.**

30 SECTION 3. IC 36-7-14-10, AS AMENDED BY P.L.146-2008,
31 SECTION 724, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2020]: **Sec. 10. (a) A:**

33 **(1) redevelopment commissioner; or**

34 **(2) a (before January 1, 2021) nonvoting adviser;**

35 appointed under section 6.1 of this chapter may not have a pecuniary
36 interest in any contract, employment, purchase, or sale made under this
37 chapter. However, any property required for redevelopment purposes
38 in which a commissioner or **(before January 1, 2021)** nonvoting
39 adviser has a pecuniary interest may be acquired, but only by gift or
40 condemnation.

41 **(b) A transaction made in violation of this section is void.**

42 SECTION 4. IC 36-7-25-8, AS ADDED BY P.L.212-2018(ss),



1 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2020]: Sec. 8. (a) Each redevelopment commission shall
 3 annually present information for the governing bodies of all taxing
 4 units, **including school corporations**, that have territory within an
 5 allocation area of the redevelopment commission. The presentation
 6 shall be made at a meeting of the redevelopment commission and must
 7 include the following:

8 (1) The commission's budget with respect to allocated property
 9 tax proceeds.

10 (2) The long term plans for the allocation area.

11 (3) The impact on each of the taxing units, **including school**
 12 **corporations**.

13 **(4) The following information for the previous year with**
 14 **regard to each tax increment financing district that has**
 15 **territory within the allocation area:**

16 (A) Revenues received.

17 (B) The apportionment of gross tax revenue received.

18 (C) Fund balances.

19 (D) The amount and maturity date for all outstanding
 20 obligations.

21 (E) The amount paid on outstanding obligations, including
 22 sources of payment.

23 (F) Detailed information concerning all expenditures and
 24 disbursements.

25 (b) The governing body of a taxing unit, **including a school**
 26 **corporation**, that has territory within an allocation area of the
 27 redevelopment commission may request that a member of the
 28 redevelopment commission appear before the governing body at a
 29 public meeting of the governing body.

