



February 19, 2016

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# ENGROSSED HOUSE BILL No. 1294

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DIGEST OF HB 1294 (Updated February 17, 2016 2:33 pm - DI 84)

**Citations Affected:** IC 6-1.1; IC 36-10.

**Synopsis:** Local government matters. Provides that in the case of the construction, remodeling, redevelopment, rehabilitation, or repair of real property for which public funds are used and that is owned by a private person after completion of the project, the county assessor must reassess the property by carrying out a physical inspection. Provides that in the case of a city park board, the appointee by the school board may be either a member of the school board or a resident of the school corporation. (Under current law, such an appointee must be a member of the school board.)

**Effective:** July 1, 2016.

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## Judy, Price, Pryor, Wesco

(SENATE SPONSORS — HEAD, BUCK)

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January 12, 2016, read first time and referred to Committee on Local Government.  
January 21, 2016, reported — Do Pass.  
January 25, 2016, read second time, ordered engrossed.  
January 26, 2016, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 8, 2016, read first time and referred to Committee on Local Government.  
February 18, 2016, reported favorably — Do Pass.

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EH 1294—LS 6828/DI 73





February 19, 2016

Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1294

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 6-1.1-4-4.8 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2016]: **Sec. 4.8. (a) As used in this section, "covered project"**  
4 **means the construction, remodeling, redevelopment, rehabilitation,**  
5 **or repair of any building, structure, or other real property**  
6 **improvement if:**  
7 (1) **public funds are used in whole or in part to carry out the**  
8 **project; and**  
9 (2) **after the completion of the project, the building, structure,**  
10 **or other real property improvement is owned by a private**  
11 **person.**  
12 (b) **As used in this section, "public funds" has the meaning set**  
13 **forth in IC 5-22-2-23.**  
14 (c) **As used in this section, "state agency" has the meaning set**  
15 **forth in IC 4-13-1-1(b).**  
16 (d) **Upon the completion of a covered project, the state agency**  
17 **or political subdivision carrying out the covered project or**

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1 providing the public funds to carry out the covered project shall  
 2 provide notice of the completion of the covered project to the  
 3 county assessor of the county in which the building, structure, or  
 4 other real property improvement is located.

5 (e) Notwithstanding the reassessment schedule in the county's  
 6 reassessment plan under section 4.2 of this chapter, after receiving  
 7 notice of the completion of a covered project, the county assessor  
 8 shall reassess the building, structure, or other real property  
 9 improvement by carrying out a physical inspection of that  
 10 property. The reassessment required by this subsection must be  
 11 completed on or before the earlier of:

12 (1) the date required under the county's reassessment plan; or

13 (2) January 1 of the year after the year in which the county  
 14 assessor receives notice of the completion of a covered project.

15 SECTION 2. IC 36-10-3-4, AS AMENDED BY P.L.128-2007,  
 16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2016]: Sec. 4. (a) A city board consists of four (4) members  
 18 to be appointed by the city executive. The members shall be appointed  
 19 on the basis of their interest in and knowledge of parks and recreation,  
 20 but no more than two (2) members may be affiliated with the same  
 21 political party. In addition, the creating ordinance may provide for one  
 22 (1) or two (2) ex officio members, those being:

23 (1) either:

24 (A) a member of the governing body of the school corporation  
 25 selected by ~~that~~ **the governing body of the school**  
 26 **corporation; or**

27 (B) **an individual who resides in the school corporation,**  
 28 **selected by the governing body of the school corporation;**

29 (2) a member of the governing body of the library district selected  
 30 by that body; or

31 (3) both subdivisions (1) and (2).

32 (b) A town board consists of four (4) members to be appointed by  
 33 the town legislative body. The members shall be appointed on the basis  
 34 of their interest in and knowledge of parks and recreation. Except as  
 35 provided in section 4.1 of this chapter, not more than two (2) members  
 36 may be affiliated with the same political party. Members of the board  
 37 must be residents of the district. In addition, the creating ordinance  
 38 may provide for one (1) or two (2) ex officio members, those being:

39 (1) a member:

40 (A) of the governing body of the school corporation selected  
 41 by that body or

42 (B) designated by the governing body of the school



- 1 corporation;
- 2 (2) a member of the governing body of the library district selected
- 3 by that body; or
- 4 (3) both subdivisions (1) and (2).
- 5 (c) A county board shall be appointed as follows:
- 6 (1) Two (2) members shall be appointed by the judge of the
- 7 circuit court.
- 8 (2) One (1) member shall be appointed by the county executive.
- 9 (3) Two (2) members shall be appointed by the county fiscal
- 10 body.
- 11 The members appointed under subdivisions (1), (2), and (3) shall be
- 12 appointed on the basis of their interest in and knowledge of parks and
- 13 recreation, but no more than one (1) member appointed under
- 14 subdivisions (1) and (3) may be affiliated with the same political party.
- 15 In a county having at least one (1) first or second class city, the creating
- 16 ordinance must provide for one (1) ex officio board member to be
- 17 appointed by the executive of that city. The member appointed by the
- 18 city executive must be affiliated with a different political party than the
- 19 member appointed by the county executive. However, if a county has
- 20 more than one (1) such city, the executives of those cities shall agree
- 21 on the member. The member serves for a term coterminous with the
- 22 term of the appointing executive or executives.
- 23 (d) Ex officio members have all the rights of regular members,
- 24 including the right to vote. A vacancy in an ex officio position shall be
- 25 filled by the appointing authority.
- 26 (e) Neither a municipal executive nor a member of a county fiscal
- 27 body, county executive, or municipal fiscal body may serve on a board.
- 28 (f) The creating ordinance in any county may provide for:
- 29 (1) the county cooperative extension coordinator;
- 30 (2) the county extension educator; or
- 31 (3) a member of the county extension committee selected by the
- 32 committee;
- 33 to serve as an ex officio member of the county board, in addition to the
- 34 members provided for under subsection (c).
- 35 (g) The creating ordinance in a county having no first or second
- 36 class cities may provide for a member of the county board to be
- 37 selected by the board of supervisors of a soil and water conservation
- 38 district in which a facility of the county board is located. The member
- 39 selected under this subsection is in addition to the members provided
- 40 for under subsections (c) and (f).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1294, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1294 as introduced.)

PRICE

Committee Vote: Yeas 10, Nays 0

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COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill No. 1294, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB1294 as printed January 22, 2016.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0

