

HOUSE BILL No. 1423

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-4-215.

Synopsis: Municipal planning commissions. Allows the county executive to appoint additional citizen members to a city plan commission to represent the unincorporated area of the city's two mile "buffer zone". (Under current law, only town plan commissions may have these additional citizen members.) Resolves an ambiguity in the statute that exists regarding the residency, initial terms, and appointment of four additional citizen members.

Effective: July 1, 2017.

Pressel, Friend

January 17, 2017, read first time and referred to Committee on Local Government.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1423

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 36-7-4-215 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 215. ADVISORY. In
3 addition to the requirements of section 214 of this chapter, the
4 executive of the county may also appoint as members of a ~~town~~
5 **municipal** plan commission additional representatives from the
6 unincorporated jurisdictional area, if the executive believes the
7 additional representation is justifiable. The number of appointments
8 shall be determined as follows:

9 (1) Two (2) citizen members, if the population of the
10 **unincorporated** jurisdictional area appears to be at least fifty
11 percent (50%) but not more than one hundred percent (100%) of
12 the population of the ~~town~~ **municipality** itself.

13 (2) Four (4) citizen members, if the population of the
14 **unincorporated** jurisdictional area appears to be greater than that
15 of the ~~town~~ **municipality** itself.

16 **(b) These ADVISORY. The additional members appointed under**
17 **this section** must have the same qualifications and are entitled to the



1 same terms and privileges as prescribed for the additional members
 2 appointed under section 214 of this chapter, **except that if four (4)**
 3 **additional citizen members are appointed under this section:**

4 **(1) not more than two (2) of the additional members**
 5 **appointed under this section may be of the same political**
 6 **party;**

7 **(2) at least two (2) of the additional members appointed under**
 8 **this section must be residents of the unincorporated**
 9 **jurisdictional area; and**

10 **(3) the additional members appointed under this section shall**
 11 **serve initial terms as follows:**

12 **(A) Two (2) members shall serve initial terms of one (1)**
 13 **year.**

14 **(B) Two (2) members shall serve initial terms of four (4)**
 15 **years.**

16 **(c) ADVISORY. If the unincorporated jurisdictional area**
 17 **referred to in subsection (a) lies in two (2) counties, the executive**
 18 **of each of those counties shall appoint:**

19 **(1) one (1) of the additional citizen members appointed under**
 20 **subsection (a)(1); or**

21 **(2) two (2) of the additional citizen members appointed under**
 22 **subsection (a)(2).**

23 **The executive of the county having the larger proportion of the**
 24 **unincorporated area shall appoint its member or members first,**
 25 **and the executive of the other county shall then appoint its member**
 26 **or members.**

