

HOUSE BILL No. 1626

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-23.

Synopsis: Ordinances concerning appearance of real property. Prohibits a political subdivision from: (1) adopting an ordinance after December 31, 2014; or (2) enforcing an ordinance adopted after December 31, 2014; that regulates the appearance of real property or the appearance of a building or fixture located on real property if the real property is owned by a private person and contains a building used as a residence by a private person unless the ordinance will mitigate an actual or a probable hazard to public health or safety. Makes exceptions for ordinances adopted after December 31, 2014, that regulate real property that is located in a specific geographic territory that: (1) has been designated as a registered historic district under the National Historic Preservation Act of 1966 or the jurisdiction of a preservation commission; or (2) encompasses buildings, structures, sites, or other facilities that are listed on the national register of historic places or listed on the register of Indiana historic sites and historic structures.

Effective: July 1, 2015.

Harman, Judy

January 22, 2015, read first time and referred to Committee on Local Government.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1626

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 36-1-23 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2015]:
4 **Chapter 23. Ordinances Concerning the Appearance of Real**
5 **Property**
6 **Sec. 1. This chapter does not apply to ordinances adopted by a**
7 **political subdivision:**
8 **(1) before January 1, 2015; or**
9 **(2) after December 31, 2014, that regulate real property that**
10 **is located in a specific geographic territory that:**
11 **(A) has been designated as a registered historic district**
12 **under:**
13 **(i) the National Historic Preservation Act of 1966, as**
14 **amended; or**
15 **(ii) the jurisdiction of a preservation commission**



1 organized under IC 36-7-11, IC 36-7-11.1, IC 36-7-11.2,
2 IC 36-7-11.3, or IC 14-3-3.2 (before its repeal); or
3 (B) encompasses buildings, structures, sites, or other
4 facilities that are:
5 (i) listed on the National Register of Historic Places
6 established under 16 U.S.C. 470 et seq.; or
7 (ii) listed on the register of Indiana historic sites and
8 historic structures established under IC 14-21-1.
9 Sec. 2. A political subdivision may not adopt an ordinance after
10 December 31, 2014, or enforce an ordinance adopted after
11 December 31, 2014, that regulates the appearance of:
12 (1) real property; or
13 (2) a building or fixture located on real property;
14 if the real property is owned by a private person and contains a
15 building used as a residence by a private person unless the
16 ordinance will mitigate an actual or a probable hazard to public
17 health or safety.

