



January 27, 2017

SENATE BILL No. 310

DIGEST OF SB 310 (Updated January 25, 2017 3:02 pm - DI 84)

Citations Affected: IC 36-7.

Synopsis: Land banks for third class cities. Authorizes a third class city to which the unsafe building law applies to establish a land bank to manage and improve the marketability of distressed real property in the city. Establishes memberships on the land bank board of a third class city.

Effective: July 1, 2017.

Hershman, Holdman, Lanane

January 9, 2017, read first time and referred to Committee on Local Government.
January 26, 2017, reported favorably — Do Pass.

SB 310—LS 6937/DI 129



January 27, 2017

First Regular Session 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.

SENATE BILL No. 310

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 36-7-38-1, AS ADDED BY P.L.211-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 1. The following definitions apply throughout this
4 chapter:
- 5 (1) "Distressed real property" includes real property in a neglected
6 or unmarketable condition.
 - 7 (2) "Eligible unit" means:
 - 8 (A) a county;
 - 9 (B) a consolidated city; **or**
 - 10 (C) a second class city; **or**
 - 11 **(D) a third class city;**
 - 12 to which IC 36-7-9 applies.
 - 13 (3) "Land bank" means an entity established by or in accordance
14 with an ordinance adopted under section 2 of this chapter.
 - 15 (4) "Person" means an individual, a corporation, a limited liability
16 company, a partnership, or other legal entity.
 - 17 SECTION 2. IC 36-7-38-2, AS AMENDED BY THE TECHNICAL

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1 CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS
2 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

3 Sec. 2. (a) The legislative body of an eligible unit may adopt an
4 ordinance:

5 (1) establishing a body corporate and politic; or

6 (2) directing the executive of the eligible unit to organize a
7 nonprofit corporation under IC 23-17;

8 as an independent instrumentality exercising essential governmental
9 functions. The primary purpose of an entity established under this
10 subsection is to manage and improve the marketability of distressed
11 real property located in the territory of the eligible unit.

12 (b) The legislative body shall specify the following in the ordinance:

13 (1) The name of the entity.

14 (2) The number of board members, subject to section ~~3~~ 4 of this
15 chapter.

16 (c) The territory of a land bank established by a county is all the
17 territory of the county, except for the territory of any second class city
18 **or third class city** in the county that has established a land bank.

19 SECTION 3. IC 36-7-38-7.5 IS ADDED TO THE INDIANA CODE
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2017]: **Sec. 7.5. (a) This section applies to the board of a land
22 bank established by a third class city.**

23 **(b) The board of a land bank to which this section applies is
24 comprised of the following:**

25 **(1) Three (3) directors appointed by the executive of the third
26 class city. A director appointed under this subdivision must be
27 a resident of the third class city.**

28 **(2) Three (3) directors appointed by the legislative body of the
29 third class city. A director appointed under this subdivision
30 must be a resident of the third class city.**

31 **(3) A director appointed by the county treasurer of the county
32 in which the third class city is located, or the county treasurer
33 of the county in which most residents of the third class city
34 reside, if the third class city is located in more than one (1)
35 county. A director appointed under this subdivision must be
36 a resident of the third class city.**

37 **(4) At most two (2) additional directors appointed, as
38 applicable, in the manner and subject to the requirements set
39 forth in the land bank's bylaws.**

40 **(c) The terms of the initial directors of a land bank to which this
41 section applies are equal to:**

42 **(1) the remainder of the calendar year in which the land bank**



1 **is established; plus**
2 **(2) a number of additional years equal to:**
3 **(A) one (1) calendar year, for directors appointed under**
4 **subsection (b)(1);**
5 **(B) two (2) calendar years, for directors appointed under**
6 **subsection (b)(2); and**
7 **(C) three (3) calendar years, for directors appointed under**
8 **subsection (b)(3) or (b)(4).**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 310, 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 SB 310 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 9, Nays 0

