



Reprinted  
February 26, 2016

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## ENGROSSED HOUSE BILL No. 1294

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DIGEST OF HB 1294 (Updated February 25, 2016 2:59 pm - DI 87)

**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 that is: (1) paid for by a private person using public funds; and (2) 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, RANDOLPH LONNIE M)

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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.  
February 22, 2016, read second time, ordered engrossed. Engrossed.  
February 23, 2016, returned to second reading.  
February 25, 2016, re-read second time, amended, ordered engrossed.

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EH 1294—LS 6828/DI 73





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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 by a private person in whole or in**  
8 **part to carry out the 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 providing the public funds to carry out the**

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

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

- 11 (1) the date required under the county's reassessment plan; or  
 12 (2) January 1 of the year after the year in which the county  
 13 assessor receives notice of the completion of a covered project.

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

22 (1) **either:**

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

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

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

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

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

38 (1) a member:

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

41 (B) designated by the governing body of the school  
 42 corporation;



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

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1294, which is eligible for third reading, be returned to second reading for purposes of amendment.

HEAD



SENATE MOTION

Madam President: I move that Engrossed House Bill 1294 be amended to read as follows:

Page 1, line 7, after "used" insert "**by a private person**".

Page 1, line 17, delete "carrying out the covered project or".

(Reference is to EHB 1294 as printed February 19, 2016.)

HEAD

