



January 29, 2021

SENATE BILL No. 130

DIGEST OF SB 130 (Updated January 28, 2021 12:50 pm - DI 87)

Citations Affected: IC 36-4.

Synopsis: Renaming cities. Provides that the statute that permits a city to change its name does not apply to a city if the city is named in the Constitution of the State of Indiana or in the Indiana Code. Provides the following with regard to a petition to change the name of a city: (1) Petitioners must file the petition with the county board of registration signed by the number of voters equal to 2% of the votes cast in the last election for secretary of state in the city. (2) If the county board of registration finds that the petition meets the statutory criteria, the county election board shall place the question of the name change on the ballot provided for voters in the city at the first general or municipal election following certification of the public question.

Effective: Upon passage.

Sandlin, Tomes

January 5, 2021, read first time and referred to Committee on Local Government.
January 28, 2021, amended, reported favorably — Do Pass.

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January 29, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE BILL No. 130

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 36-4-1-7 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a) This section does not**
3 **apply to a city if the city is named in the Constitution of the State**
4 **of Indiana or in the Indiana Code.**

5 ~~(a) (b)~~ A petition to change the name of a city may be filed with the
6 ~~city legislative body.~~ **county board of registration.** The petition must:

7 (1) be signed by at least ~~five hundred (500)~~ voters of the city; or,
8 **the number of voters equal to two percent (2%) of the votes**
9 **cast in the last election for secretary of state in the city; in a**
10 **city having less than five hundred (500) registered voters at the**
11 **time of the most recent general election; by at least ten percent**
12 **(10%) of those voters;**

13 (2) be verified by one (1) or more of the petitioners; ~~and~~

14 (3) set forth reasons for the change of name; **and**

15 **(4) be filed not later than June 1 of a year in which a general**
16 **or municipal election will be held.**

17 **(c) If a petition meets the criteria set forth in subsection (b), the**

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1 county board of registration shall certify the public question to the
 2 county election board under IC 3-10-9-3. The county board of
 3 registration shall certify the public question to the county election
 4 board under IC 3-10-9-3. The county election board shall place the
 5 question of the name change on the ballot provided for voters in
 6 the city at the first general or municipal election following
 7 certification. The question shall be placed on the ballot in the form
 8 prescribed by IC 3-10-9-4 and must state "Shall the city of
 9 _____ change its name to (insert proposed name of city)?".

10 (d) If the public question is approved by a majority of the voters
 11 voting on the question, the county election board shall file a copy
 12 of the certification prepared under IC 3-12-4-9 concerning the
 13 public question described by this section with the following:

- 14 (1) The circuit court clerk of the county.
- 15 (2) The office of the secretary of state.

16 The change of name takes effect sixty (60) days after the filing of
 17 the certification under this subsection.

18 (b) If the legislative body considers the reasons set forth in the
 19 petition sufficient, it shall conduct a public hearing on the petition after
 20 giving notice by publication in the manner prescribed by IC 5-3-1.

21 (c) If after the hearing the legislative body finds that the matters set
 22 forth in the petition are true and that the requested change of name
 23 should be granted, it shall pass an ordinance changing the name of the
 24 city. The change of name takes effect sixty (60) days after the effective
 25 date of the ordinance.

26 SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 130, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, strike "city legislative body." and insert "**county board of registration.**".

Page 1, line 7, strike "five hundred (500) voters of the city, or," and insert "**the number of voters equal to two percent (2%) of the votes cast in the last election for secretary of state in the city;**".

Page 1, strike lines 8 through 10.

Page 1, line 11, strike "and".

Page 1, line 12, delete "name." and insert "name; **and**".

Page 1, between lines 12 and 13, begin a new line block indented and insert:

"(4) be filed not later than June 1 of a year in which a general or municipal election will be held.

(c) If a petition meets the criteria set forth in subsection (b), the county board of registration shall certify the public question to the county election board under IC 3-10-9-3. The county board of registration shall certify the public question to the county election board under IC 3-10-9-3. The county election board shall place the question of the name change on the ballot provided for voters in the city at the first general or municipal election following certification. The question shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the city of _____ change its name to (insert proposed name of city)?"

(d) If the public question is approved by a majority of the voters voting on the question, the county election board shall file a copy of the certification prepared under IC 3-12-4-9 concerning the public question described by this section with the following:

(1) The circuit court clerk of the county.

(2) The office of the secretary of state.

The change of name takes effect sixty (60) days after the filing of the certification under this subsection."

Page 1, line 13, delete "(c)".

Page 1, line 13, strike "If the legislative body considers the reasons set forth in the".

Page 1, strike lines 14 through 15.

Page 1, line 16, delete "(d)".

Page 1, line 16, strike "If after the hearing the legislative body finds that the matters".

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Page 1, strike line 17.

Page 2, strike lines 1 through 3.

and when so amended that said bill do pass.

(Reference is to SB 130 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 8, Nays 0.

