

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 2017 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 182

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 36-9-13-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. (a) Notwithstanding section 6 of this chapter, the municipal county seat may withdraw from the building authority under this section.**

(b) To withdraw from the building authority, the fiscal body of the municipality must do the following:

(1) Adopt a resolution that states all of the following:

(A) That the municipality withdraws from the building authority under this section.

(B) The effective date of the withdrawal.

(2) Send a copy of the resolution to each of the following not later than thirty (30) days before the effective date of the withdrawal:

(A) The county executive.

(B) The county fiscal body.

(c) The municipal clerk shall file the following in the county recorder's office for recording in the miscellaneous records:

(1) A copy of the resolution.

(2) The municipal clerk's affidavit showing the date of adoption of the resolution by the municipal fiscal body.

(d) If a resolution is adopted under this section, the following

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apply:

(1) The term of office of:

(A) the trustee serving under section 6(a)(1) of this chapter; and

(B) the trustee serving under section 6(a)(4) of this chapter;

expires on the effective date of the withdrawal stated in the resolution, notwithstanding section 6 of this chapter.

(2) The county fiscal body:

(A) shall appoint a trustee to replace the trustee serving under section 6(a)(1) of this chapter; and

(B) becomes the appointing authority of the trustee provided for under section 6(a)(1) of this chapter.

(3) The county executive:

(A) shall appoint a trustee to replace the trustee serving under section 6(a)(4) of this chapter; and

(B) becomes the appointing authority of the trustee provided for under section 6(a)(4) of this chapter.

(4) The rules and bylaws governing the procedure of the trustees before the withdrawal of the municipality remain in effect until amended by the trustees after withdrawal of the municipality.

(e) Withdrawal of a municipality under this section does not affect any:

(1) liabilities incurred by; or

(2) benefits that accrue to;

the municipality due to its representation on the board before the effective date of the withdrawal.

(f) If the building authority has any bonds or other obligations outstanding, a municipality may not withdraw from the building authority if the withdrawal will impair the ability of the building authority to pay the bonds or other obligations.

SECTION 2. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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