

February 20, 1998

**ENGROSSED
HOUSE BILL No. 1229**

DIGEST OF HB 1229 (Updated February 18, 1998 12:38 pm - DI 51)

Citations Affected: IC 32-1; noncode.

Synopsis: Adverse possession of local government property. Provides that real property owned by a political subdivision may not be acquired by adverse possession.

Effective: July 1, 1998.

Crooks, Kruse

(SENATE SPONSORS — MEEKS, HUME)

January 13, 1998, read first time and referred to Committee on Judiciary.
January 27, 1998, amended, reported — Do Pass.
February 2, 1998, read second time, ordered engrossed. Engrossed.
February 3, 1998, read third time, passed. Yeas 94, nays 2.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Judiciary.
February 19, 1998, amended, reported favorably — Do Pass.

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EH 1229—LS 6481/DI 87+



February 20, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

ENGROSSED HOUSE BILL No. 1229

A BILL FOR AN ACT to amend the Indiana Code concerning property.

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

1 SECTION 1. IC 32-1-20-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. Title to real property
3 owned by the state **or a political subdivision (as defined in**
4 **IC 36-1-2-13)** may not be alienated by adverse possession.

5 SECTION 2. [EFFECTIVE JULY 1, 1998] **A cause of action based**
6 **on adverse possession may not be commenced against a political**
7 **subdivision (as defined in IC 36-1-2-13) after June 30, 1998.**

EH 1229—LS 6481/DI 87+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1229, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 1, after line 4, begin a new paragraph and insert:

"SECTION 2. **An emergency is declared for this act.**".

and when so amended that said bill do pass.

(Reference is to House Bill 1229 as introduced.)

VILLALPANDO, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill 1229, 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 2, delete "[EFFECTIVE UPON PASSAGE]" and insert "[EFFECTIVE JULY 1, 1998]".

Page 1, line 3, delete "local government" and insert "**political subdivision (as defined in IC 36-1-2-13)**".

Page 1, line 5, delete "An emergency is declared for this act." and insert "[EFFECTIVE JULY 1, 1998] **A cause of action based on adverse possession may not be commenced against a political subdivision (as defined in IC 36-1-2-13) after June 30, 1998.**".

and when so amended that said bill do pass.

(Reference is to House Bill 1229 as printed January 28, 1998.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 2.

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