

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1174 be amended to read as follows:

- 1 Page 8, between lines 18 and 19, begin a new paragraph and insert:
- 2 "SECTION 12. IC 36-5-2-4.6 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 1998]: **Sec. 4.6. (a) This section applies to a**
- 5 **town if both of the following apply:**
- 6 (1) The town has a population of less than five thousand
- 7 (5,000).
- 8 (2) The town is located in a county having a population of
- 9 more than seventy-five thousand (75,000) but less than
- 10 seventy-eight thousand (78,000).
- 11 (3) The town legislative body adopts an ordinance adopting
- 12 the provisions of this section. A town may not adopt an
- 13 ordinance under this section during a year in which municipal
- 14 elections are held under IC 3-10-6-5.
- 15 (b) A town legislative body has the following members:
- 16 (1) Three (3) members, each elected by the voters of a district.
- 17 The districts are established by ordinance by the town
- 18 legislative body as provided in this chapter.
- 19 (2) Two (2) members elected at large by all the voters of the
- 20 town.
- 21 (c) An ordinance adopted under this section must provide for
- 22 the following:
- 23 (1) Three (3) members of the legislative body are elected
- 24 during a year that municipal elections are held under

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IC 3-10-6-5.

- (2) Two (2) members of the legislative body are elected either:**
 - (A) during the year before the year described in subdivision (1); or**
 - (B) during the year after the year described in subdivision (1).**

The year for elections under this subdivision must be chosen so that during the elections held for the town legislative body under subdivision (4), a member of the town legislative body does not serve a term of more than four (4) years.

(3) The members of the legislative body elected at large may not be elected at the same time.

(4) The term of office of a member begins on January 1 after the member's election.

(d) An ordinance adopted under this section may provide that before the first election after adoption of the ordinance, members of the town legislative body added to the legislative body by the ordinance may be appointed to the legislative body by a vote of the current members of the legislative body.

(e) Subject to this section, members of the town legislative body are elected as provided in IC 3-10-6-4.5."

Renumber all SECTIONS consecutively.
(Reference is to HB 1174 as printed January 30, 1998.)

Representative Whetstone