

January 29, 1998

HOUSE BILL No. 1300

DIGEST OF HB 1300 (Updated January 28, 1998 6:05 pm - DI 38)

Citations Affected: Noncode.

Synopsis: Zoning public question. Permits the placement of a public question on the ballot at a special election held in the Town of Paoli during the 1998 primary election asking the voters of Paoli whether the town council should adopt a zoning ordinance for the town. Specifies that the referendum is not binding on the Paoli town council.

Effective: Upon passage.

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January 13, 1998, read first time and referred to Committee on Rules and Legislative Procedures.
January 28, 1998, amended, reported — Do Pass.

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HB 1300—LS 7014/DI 75



January 29, 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.

HOUSE BILL No. 1300

A BILL FOR AN ACT concerning local government.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **This SECTION**
2 **applies to a county:**
3 (1) **having a population of more than eighteen thousand three**
4 **hundred (18,300) but less than eighteen thousand five**
5 **hundred (18,500); and**
6 (2) **whose county seat is a town.**
7 (b) **A public question may be placed on the ballot at a special**
8 **election held in the county seat on May 5, 1998, asking voters**
9 **whether the town council should adopt the proposed zoning**
10 **ordinance for the town. In order to place the public question on the**
11 **ballot, the town council must adopt an ordinance before April 15,**
12 **1998, that expresses the town council's intent to place the question**
13 **on the ballot. The public question must read as follows:**
14 **"Shall the Town Council of the Town of (insert the name of**
15 **the town) adopt the proposed zoning ordinance for the Town**
16 **of (insert the name of the town)?"**
17 (c) **Above the public question stated in subsection (b) the county**
18 **election board shall place the following statement:**

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1 **The result of the vote on this public question is not binding on**
2 **the Town Council.**
3 **(d) The county election board shall tabulate the votes cast on the**
4 **public question described in this SECTION and certify the results**
5 **under IC 3-12-4-9. The county election board shall send a copy of**
6 **the certification to the president of the town council.**
7 **(e) Subject to this SECTION, IC 3-10-8 and IC 3-10-9 apply to**
8 **the special election required by this SECTION.**
9 **(f) This SECTION expires January 1, 2001.**
10 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred House Bill 1300, 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:

Page 1, line 7, delete "shall" and insert "**may**".

Page 1, line 9, delete "a" and insert "**the proposed**".

Page 1, line 10, after "town." insert "**In order to place the public question on the ballot, the town council must adopt an ordinance before April 15, 1998, that expresses the town council's intent to place the question on the ballot.**".

Page 1, line 12, delete "a" and insert "**the proposed**".

Page 1, delete lines 16 through 18, begin a new line block indented and insert:

"The result of the vote on this public question is not binding on the Town Council."

Page 2, delete lines 1 through 2.

Page 2, line 6, delete "the following:" and insert "**the president of the town council.**".

Page 2, delete lines 7 through 9.

Page 2, delete lines 12 through 16.

Page 2, line 17, delete "(g)" and insert "**(f)**".

and when so amended that said bill do pass.

(Reference is to House Bill 1300 as introduced.)

GREGG, Chair

Committee Vote: yeas 7, nays 1.

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