

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 242 be amended to read as follows:

- 1           Page 2, line 5, strike "upon the filing required by" and insert  
2           "**when the requirements of**".
- 3           Page 2, line 6, delete "22(d)(4)" and insert "**22(d)(5)**".
- 4           Page 2, line 6, after "chapter" insert "**have been satisfied**".
- 5           Page 2, line 20, strike "upon the filing required by" and insert  
6           "**when the requirements of**".
- 7           Page 2, line 20, delete "22(d)(4)" and insert "**22(d)(5)**".
- 8           Page 2, line 21, after "chapter" insert "**have been satisfied**".
- 9           Page 2, between lines 40 and 41, begin a new paragraph and  
10          insert:
- 11          "SECTION 2. IC 36-4-3-15, AS AMENDED BY P.L.2-1997,  
12          SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13          JULY 1, 1998]: Sec. 15. (a) The court's judgment under section 12 or  
14          15.5 of this chapter must specify the annexation ordinance on which  
15          the remonstrance is based. The clerk of the court shall deliver a  
16          certified copy of the judgment to the clerk of the municipality. The  
17          clerk of the municipality shall:
- 18                 (1) record the judgment in the clerk's ordinance record; and  
19                 (2) make a cross-reference to the record of the judgment on the  
20                 margin of the record of the annexation ordinance.
- 21          (b) If a judgment under section 12 or 15.5 of this chapter is  
22          adverse to annexation, the municipality may not make further attempts  
23          to annex the territory during the two (2) years after the later of:
- 24                 (1) the judgment of the circuit or superior court; or  
25                 (2) the date of the final disposition of all appeals to a higher  
26                 court;
- 27          unless the annexation is petitioned for under section 5 of this chapter.
- 28          (c) If a judgment under section 12 or 15.5 of this chapter orders  
29          the annexation to take place, the annexation is effective when the ~~clerk~~  
30          of the municipality complies with the filing requirement requirements  
31          of section 22(a) and **22(d)(5)** of this chapter **are satisfied**".
- 32          Renumber all SECTIONS consecutively.  
        (Reference is to SB 242 as printed January 30, 1998.)

