



March 12, 1999

ENGROSSED HOUSE BILL No. 1513

DIGEST OF HB 1513 (Updated March 10, 1999 3:43 pm - DI 87)

Citations Affected: IC 36-4.

Synopsis: Change of city status. Provides that the powers, duties, function and office of an elected official of a city shall remain unchanged until the expiration of the term of the elected official, despite a change in city classification for any reason. Provides that if a third class city attains the population of second class city status, the third class city remains a third class city unless the city legislative body adopts second class city status by ordinance.

Effective: July 1, 1999.

Yount, Stevenson

(SENATE SPONSOR — KENLEY)

January 19, 1999, read first time and referred to Committee on Local Government.
February 8, 1999, amended, reported — Do Pass.
February 11, 1999, read second time, ordered engrossed. Engrossed.
February 15, 1999, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 25, 1999, read first time and referred to Committee on Governmental and Regulatory Affairs.
March 11, 1999, amended, reported favorably — Do Pass.

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EH 1513—LS 7063/DI 87+



March 12, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1513

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

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

1 SECTION 1. IC 36-4-1-1.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 1.1. (a) Except as provided in subsection (b), a third**
4 **class city remains a third class city even though the city attains a**
5 **population of at least thirty-five thousand (35,000) at a federal**
6 **decennial census.**

7 (b) **The legislative body of a city to which subsection (a) applies**
8 **may, by ordinance, adopt second class city status.**

9 SECTION 2. IC 36-4-1-8 IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 1999]: **Sec. 8. (a) Whenever the classification**
11 **of a city under section 1 of this chapter changes due to a change in the**
12 **city's population, the city shall be governed by the laws applicable to**
13 **its new class, except as provided by subsection (b).**

14 (b) **The membership of a city legislative body remains unchanged**
15 **until the expiration of the terms of its members, despite a change in the**
16 **classification of the city for any reason. At the municipal election**

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1 preceding the expiration of those terms, the number of members of the
2 legislative body required by the laws applicable to its new class shall
3 be elected. **The powers, duties, functions, and office of an elected**
4 **official of a city shall remain unchanged until the expiration of the**
5 **term of the elected official, despite a change in city classification**
6 **for any reason.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1513, 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 5, delete "on January 1 following the first municipal election" and insert ",".

Page 1, line 6, delete "following the change in population,".

Page 1, line 13, delete "A special census to determine a change in population" and insert "**The powers, duties, functions, and office of an elected official of a city shall remain unchanged until the expiration of the term of the elected official, despite a change in city classification for any reason.**".

Page 1, delete lines 14 through 16.

and when so amended that said bill do pass.

(Reference is to HB 1513 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill No. 1513, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-4-1-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 1.1. (a) Except as provided in subsection (b), a third class city remains a third class city even though the city attains a population of at least thirty-five thousand (35,000) at a federal decennial census.**

(b) The legislative body of a city to which subsection (a) applies may, by ordinance, adopt second class city status."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1513 as printed February 9, 1999.)

MERRITT, Chairperson

Committee Vote: Yeas 8, Nays 0.

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