



February 25, 2000

---

---

# ENGROSSED HOUSE BILL No. 1162

---

DIGEST OF HB 1162 (Updated February 23, 2000 4:26 PM - DI 87)

**Citations Affected:** IC 8-23; IC 36-1; IC 36-7.

**Synopsis:** Notice of local government jurisdictional changes. Provides that a city, town, township, or county may not transfer jurisdiction over its territory to another city, town, township, or county until a public hearing is held regarding the transfer. Provides that a transfer of roads or streets between systems may not occur until the governmental agency or unit proposing to transfer jurisdiction over the roads or streets holds a public hearing regarding the transfer.

**Effective:** July 1, 2000.

---

---

## Whetstone, Crooks

(SENATE SPONSOR — LAWSON C)

---

---

January 10, 2000, read first time and referred to Committee on Local Government.  
January 19, 2000, amended, reported — Do Pass.  
January 24, 2000, read second time, ordered engrossed. Engrossed.  
January 26, 2000, read third time, passed. Yeas 91, nays 2.

SENATE ACTION

January 27, 2000, read first time and referred to Committee on Governmental and Regulatory Affairs.  
February 24, 2000, reported favorably — Do Pass.

---

---

C  
O  
P  
Y

EH 1162—LS 7155/DI 87+



February 25, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

## ENGROSSED HOUSE BILL No. 1162

---

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 8-23-4-12 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. (a) The transfer of  
3 roads or streets between systems requires a memorandum of agreement  
4 signed by both the transferring agency or unit of government and by the  
5 agency or unit of government assuming jurisdiction over the road. The  
6 memorandum must state the following:

7 (1) The purpose of the transfer.  
8 (2) The effective date of the transfer.  
9 (3) Any conditions agreed to by the signers.  
10 (b) **A transfer is not effective until the agency or unit proposing**  
11 **to transfer jurisdiction holds a public hearing regarding the**  
12 **transfer. Notice of the hearing must be given in accordance with**  
13 **IC 5-3-1.**

14 SECTION 2. IC 36-1-6.5 IS ADDED TO THE INDIANA CODE  
15 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2000]:

17 **Chapter 6.5. Transfer of Jurisdiction**

**EH 1162—LS 7155/DI 87+**



C  
O  
P  
Y

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**Sec. 1. This section does not apply to:**  
**(1) a transfer of jurisdiction between units; or**  
**(2) a contract or agreement between units for a transfer of functions or services;**  
**for which a public hearing is required under any other statute.**

**Sec. 2. A unit may not transfer jurisdiction over any part of its territory to another unit, including a transfer of planning and zoning jurisdiction under IC 36-7-4 until the unit holds a public hearing concerning the transfer or contract.**

**Sec. 3. Notice of the public hearing required under this section must be given as set forth in IC 5-3-1.**

SECTION 3. IC 36-7-4-403.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 403.6. (a) A county or municipality may not transfer planning and zoning jurisdiction over any part of its territory to another county or municipality until the county or municipality holds a public hearing concerning the transfer.**

**(b) Notice of the public hearing must be given as set forth in IC 5-3-1.**

C  
O  
P  
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1162, 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 2, line 6, delete ":".

Page 2, line 7, delete "(1)".

Page 2, run in lines 6 and 7.

Page 2, line 9, delete "; or".

Page 2, delete lines 10 through 12.

Page 2, run in lines 9 and 13.

and when so amended that said bill do pass.

(Reference is to HB 1162 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 10, nays 0.

C  
O  
P  
Y



COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill No. 1162, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1162 as printed January 20, 2000.)

MERRITT, Chairperson

Committee Vote: Yeas 9, Nays 0.

C  
o  
p  
y

