

SENATE BILL No. 188

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-18-41.

Synopsis: Housing authority jurisdiction. Provides that if a municipal housing authority is located in a county that has a county housing authority: (1) the municipal housing authority has jurisdiction within the municipality's boundaries; (2) the county housing authority has jurisdiction in the area that is within the county and is located outside the five mile area surrounding the municipality; and (3) the municipal housing authority and the county housing authority share jurisdiction in the area that is within the county and is located within five miles outside the corporate boundaries of the municipality.

Effective: July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 188



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 36-7-18-41 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 41. (a) **This subsection**
3 **applies to a municipality located in a county that does not have a**
4 **county housing authority.** A municipal housing authority has
5 jurisdiction to exercise the powers granted by this chapter in the
6 municipality and in the area within five (5) miles of the corporate
7 boundaries of the municipality. However, the authority may not
8 exercise its powers within the corporate boundaries of another
9 municipality without the consent, by resolution, of the fiscal body of
10 that municipality.

11 (b) **Except as provided in subsection (c),** a county housing
12 authority has jurisdiction to exercise the powers granted by this chapter
13 in all unincorporated areas of the county outside the jurisdiction of
14 municipal housing authorities. However, the jurisdiction of a county
15 housing authority may be expanded to include all or part of the
16 jurisdiction of a municipal housing authority **within the corporate**
17 **boundaries of the municipality** if the fiscal bodies of the county and



1 of the municipality each adopt a resolution declaring a need for the
2 county housing authority to exercise its powers within the jurisdiction
3 of the municipal housing authority. Such a resolution may be adopted
4 only after a public hearing, with notice of the time, place, and purpose
5 of the hearing given by the fiscal body by publication in accordance
6 with IC 5-3-1.

7 (c) **A municipal housing authority and a county housing**
8 **authority share jurisdiction to exercise the powers granted by this**
9 **chapter in the area that is:**

- 10 (1) **within the county; and**
- 11 (2) **located within five (5) miles outside the corporate**
- 12 **boundaries of the municipality.**

13 (d) Notwithstanding subsections (a), ~~and~~ (b), **and (c)**, the housing
14 authority of a consolidated city has jurisdiction to exercise the powers
15 granted by this chapter only in the area that was subject to its
16 jurisdiction on December 31, 1969.

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