

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 494 be amended to read as follows:

- 1 Page 26, between lines 4 and 5, begin a new paragraph and insert:
- 2 "SECTION 26. IC 36-7-14-3, AS AMENDED BY P.L.190-2005,
- 3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2013]: Sec. 3. (a) A unit may establish a department of
- 5 redevelopment controlled by a board of ~~five (5)~~ **seven (7)** members to
- 6 be known as "\_\_\_\_\_ Redevelopment Commission", designating
- 7 the name of the municipality or county. However, in the case of a
- 8 county, the county executive may adopt an ordinance providing that the
- 9 county redevelopment commission consists of ~~seven (7)~~ **nine (9)**
- 10 members.
- 11 (b) Subject to section 3.5 of this chapter, all of the territory within
- 12 the corporate boundaries of a municipality constitutes a taxing district
- 13 for the purpose of levying and collecting special benefit taxes for
- 14 redevelopment purposes as provided in this chapter. Subject to section
- 15 3.5 of this chapter, all of the territory in a county, except that within a
- 16 municipality that has a redevelopment commission, constitutes a taxing
- 17 district for a county.
- 18 (c) All of the taxable property within a taxing district is considered
- 19 to be benefited by redevelopment projects carried out under this
- 20 chapter to the extent of the special taxes levied under this chapter.
- 21 SECTION 27. IC 36-7-14-6.1, AS AMENDED BY P.L.146-2008,
- 22 SECTION 723, IS AMENDED TO READ AS FOLLOWS
- 23 [EFFECTIVE JULY 1, 2013]: Sec. 6.1. (a) The ~~five (5)~~ **seven (7)**
- 24 commissioners for a municipal redevelopment commission shall be

- 1 appointed as follows:
- 2 (1) Three (3) shall be appointed by the municipal executive.
- 3 (2) Two (2) shall be appointed by the municipal legislative body.
- 4 **(3) For terms of office beginning after December 31, 2013, two**
- 5 **(2) shall be appointed by school corporations of the**
- 6 **municipality, as provided in subsection (e).**
- 7 **During the period beginning July 1, 2008, and ending December 31,**
- 8 **2013,** the municipal executive shall also appoint an individual to serve
- 9 as a nonvoting adviser to the redevelopment commission. ~~beginning~~
- 10 ~~July 1, 2008.~~
- 11 (b) The commissioners for a county redevelopment commission that
- 12 has ~~five (5)~~ **seven (7)** members shall be appointed as follows:
- 13 (1) The county executive shall appoint all the members whose
- 14 terms of office begin before January 1, 2008.
- 15 (2) For terms of office beginning after December 31, 2007, the
- 16 county executive shall appoint three (3) members, and the county
- 17 fiscal body shall appoint two (2) members.
- 18 **(3) For terms of office beginning after December 31, 2013,**
- 19 **school corporations of the county shall appoint two (2)**
- 20 **members, as provided in subsection (e).**
- 21 **During the period beginning July 1, 2008, and ending December 31,**
- 22 **2013,** the county executive shall also appoint an individual to serve as
- 23 a nonvoting adviser to the redevelopment commission. ~~beginning~~
- 24 ~~July 1, 2008.~~
- 25 (c) The commissioners for a county redevelopment commission that
- 26 has ~~seven (7)~~ **nine (9)** members shall be appointed as follows:
- 27 (1) The county executive shall appoint all the members whose
- 28 terms of office begin before January 1, 2008.
- 29 (2) For terms of office beginning after December 31, 2007, the
- 30 county executive shall appoint four (4) members, and the county
- 31 fiscal body shall appoint three (3) members.
- 32 **(3) For terms of office beginning after December 31, 2013,**
- 33 **school corporations of the county shall appoint two (2)**
- 34 **members, as provided in subsection (e).**
- 35 **During the period beginning July 1, 2008, and ending December 31,**
- 36 **2013,** the county executive shall also appoint an individual to serve as
- 37 a nonvoting adviser to the redevelopment commission. ~~beginning~~
- 38 ~~July 1, 2008.~~
- 39 (d) **This subsection applies only to appointments of nonvoting**
- 40 **advisers after June 30, 2008, and before January 1, 2014.** A
- 41 nonvoting adviser appointed under this section:
- 42 (1) must also be a member of the school board of a school
- 43 corporation that includes all or part of the territory served by the
- 44 redevelopment commission;
- 45 (2) is not considered a member of the redevelopment commission
- 46 for purposes of this chapter but is entitled to attend and

1 participate in the proceedings of all meetings of the  
2 redevelopment commission;

3 (3) is not entitled to a salary, per diem, or reimbursement of  
4 expenses;

5 (4) serves for a term of two (2) years and until a successor is  
6 appointed; and

7 (5) serves at the pleasure of the entity that appointed the  
8 nonvoting adviser.

9 **(e) After December 31, 2013, the appointing authorities of the**  
10 **school corporation appointees to a unit's redevelopment**  
11 **commission under this section are specified as follows:**

12 **(1) If the territory of only one (1) school corporation**  
13 **intersects with the territory of the unit that established the**  
14 **redevelopment commission, the school board of the school**  
15 **corporation appoints two (2) members to the redevelopment**  
16 **commission.**

17 **(2) If the territories of exactly two (2) school corporations**  
18 **intersect with the territory of the unit that established the**  
19 **redevelopment commission, the school boards of the school**  
20 **corporations each appoint one (1) member to the**  
21 **redevelopment commission, for a total of two (2) members.**

22 **(3) If the territories of more than two (2) school corporations**  
23 **intersect with the territory of the unit that established the**  
24 **redevelopment commission, the school boards of the two (2)**  
25 **school corporations with the highest ADM (as defined in**  
26 **IC 20-18-2-2) from the territory of the unit that established**  
27 **the redevelopment commission each appoint one (1) member**  
28 **to the redevelopment commission, for a total of two (2)**  
29 **members.**

30 SECTION 28. IC 36-7-14-8, AS AMENDED BY P.L.190-2005,  
31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2013]: Sec. 8. (a) The redevelopment commissioners shall  
33 hold a meeting for the purpose of organization not later than thirty (30)  
34 days after they are appointed and, after that, each year on the first day  
35 in January that is not a Saturday, a Sunday, or a legal holiday. They  
36 shall choose one (1) of their members as president, another as vice  
37 president, and another as secretary. These officers shall perform the  
38 duties usually pertaining to their offices and shall serve from the date  
39 of their election until their successors are elected and qualified.

40 (b) The redevelopment commission may appoint a treasurer who  
41 need not be a member of the redevelopment commission. The  
42 redevelopment commission may provide for the payment of  
43 compensation to a treasurer who is not a member of the redevelopment  
44 commission. Notwithstanding any other provision of this chapter, the  
45 treasurer has charge over and is responsible for the administration,  
46 investment, and disbursement of all funds and accounts of the

1 redevelopment commission in accordance with the requirements of this  
 2 chapter. However, the treasurer may not perform any duties of the  
 3 fiscal officer or any other officer of the unit that are prescribed by  
 4 section 24 of this chapter or by any provisions of this chapter that  
 5 pertain to the issuance and sale of bonds, notes, or warrants of the  
 6 special taxing district.

7 (c) The redevelopment commissioners may adopt the rules and  
 8 bylaws they consider necessary for the proper conduct of their  
 9 proceedings, the carrying out of their duties, and the safeguarding of  
 10 the money and property placed in their custody by this chapter. In  
 11 addition to the annual meeting, the commissioners may, by resolution  
 12 or in accordance with their rules and bylaws, prescribe the date and  
 13 manner of notice of other regular or special meetings.

14 (d) This subsection ~~does not apply~~ **applies only** to a county  
 15 redevelopment commission that consists of ~~seven (7)~~ **five (5)** members.  
 16 Three (3) of the redevelopment commissioners constitute a quorum,  
 17 and the concurrence of three (3) commissioners is necessary to  
 18 authorize any action.

19 (e) This subsection applies only to a county redevelopment  
 20 commission that consists of seven (7) members. Four (4) of the  
 21 redevelopment commissioners constitute a quorum, and the  
 22 concurrence of four (4) commissioners is necessary to authorize any  
 23 action.

24 **(f) This subsection applies only to a county redevelopment**  
 25 **commission that consists of nine (9) members. Five (5) of the**  
 26 **redevelopment commissioners constitute a quorum, and the**  
 27 **concurrence of five (5) commissioners is necessary to authorize any**  
 28 **action.**

29 SECTION 28. IC 36-7-14-9 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) **Before January**  
 31 **1, 2014**, the municipal executive or municipal legislative body that  
 32 appointed a municipal redevelopment commissioner may summarily  
 33 remove that commissioner from office at any time.

34 (b) **Before January 1, 2014**, the county executive may summarily  
 35 remove a county redevelopment commissioner office at any time.

36 (c) **After December 31, 2013, an appointing authority that**  
 37 **appoints a member of a redevelopment commission under this**

- 1 **chapter may summarily remove that redevelopment commissioner**
- 2 **from office at any time."**
- 3     Renumber all SECTIONS consecutively.  
   (Reference is to ESB 494 as printed April 2, 2013.)

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Representative Clere