



January 29, 2013

HOUSE BILL No. 1186

DIGEST OF HB 1186 (Updated January 24, 2013 10:14 am - DI 75)

Citations Affected: IC 36-5; noncode.

Synopsis: Incorporation of towns. Provides that proceedings for the incorporation of a town may be initiated by filing a written petition with the county executive of the county that contains all or a majority of the area of the proposed town. Requires that the petition must be signed by at least 10% of the owners of land in the area of the proposed town. Provides that if the county executive finds that the petition satisfies the statutory requirements, the county executive shall either: (1) adopt an ordinance incorporating the town; or (2) adopt a resolution to place a public question concerning incorporation on the ballot. Requires petitioners to publish notice of the contents of the petition. Allows only registered voters residing within the area of the proposed town to vote on the public question. Provides that if a majority of voters vote "yes" on the public question, the county executive of each county in which the proposed town is located shall adopt an ordinance to incorporate the area as a town. Prohibits another petition for incorporation from being filed within two years after the election at which a majority of voters vote "no" on the public question concerning incorporation.

Effective: July 1, 2013.

Price, Frizzell, Burton, Riecken

January 10, 2013, read first time and referred to Committee on Local Government.
January 28, 2013, amended, reported — Do Pass.

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HB 1186—LS 6812/DI 87+



January 29, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1186

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 36-5-1-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Proceedings to incorporate a
3 town may be instituted by filing a **written** petition in quadruplicate
4 with the executive of ~~each the county in which a part that contains all~~
5 **or a majority** of the territory sought to be incorporated. ~~is located.~~ The
6 petition must be signed by at least ~~fifty (50)~~ **ten percent (10%)** of the
7 owners of land in the territory and must state ~~that:~~ **the following:**
8 (1) The territory is used or will, in the reasonably foreseeable
9 future, be used generally for commercial, industrial, residential,
10 or similar purposes.
11 (2) The territory is reasonably compact and contiguous.
12 (3) There is enough undeveloped land in the territory to permit
13 reasonable growth of the town. ~~and~~
14 (4) Incorporation is in the best interests of the citizens of the
15 territory.
16 **(5) The name, telephone number, and electronic mail address**
17 **(if available) of the contact person for the petitioners.**

HB 1186—LS 6812/DI 87+



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(6) If the petitioners want the incorporation to be approved by a public question at a special election, that the petitioners agree to pay the costs of the special election.

(b) The signatures of the petitioners must be verified, and the verification must include a statement that the petitioners are owners of land in the territory sought to be incorporated.

(c) In determining the number of petitioners, not more than one (1) person having an interest in a single parcel of land may be counted, and a person owning more than one (1) parcel of land in the area may be counted only once.

(d) The petition filed under subsection (a) must be accompanied by the ordinance of any city required to consent to the incorporation under section 7 of this chapter.

SECTION 2. IC 36-5-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) The **county executive petitioners** must obtain the consent by ordinance of the legislative body of a consolidated city before incorporating a town if any part of the proposed town is within four (4) miles of the corporate boundaries of the city.

(b) The **county executive petitioners** must obtain the consent by ordinance of the legislative body of a second or third class city before incorporating a town if any part of the proposed town is within three (3) miles of the corporate boundaries of the city.

(c) Subsection (b) does not apply to a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

SECTION 3. IC 36-5-1-7.1, AS AMENDED BY P.L.119-2012, SECTION 191, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7.1. The **executive petitioners** of a county having a population of more than seventy thousand (70,000) but less than seventy thousand fifty (70,050) **is are** exempt from:

- (1) the requirements of section 7(a) of this chapter; and
- (2) the requirements of section 7(b) of this chapter if the second or third class city is within a county containing a consolidated city.

SECTION 4. IC 36-5-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **(a)** The county executive may approve a petition for incorporation only if it finds all of the following:

- (1) That the proposed town is used or will, in the reasonably foreseeable future, be used generally for commercial, industrial, residential, or similar purposes.
- (2) That the proposed town is reasonably compact and contiguous.

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- 1 (3) That the proposed town includes enough territory to allow for
- 2 reasonable growth in the foreseeable future.
- 3 (4) That a substantial majority of the property owners in the
- 4 proposed town have agreed that at least six (6) of the following
- 5 municipal services should be provided on an adequate basis:
- 6 (A) Police protection.
- 7 (B) Fire protection.
- 8 (C) Street construction, maintenance, and lighting.
- 9 (D) Sanitary sewers.
- 10 (E) Storm sewers.
- 11 (F) Health protection.
- 12 (G) Parks and recreation.
- 13 (H) Schools and education.
- 14 (I) Planning, zoning, and subdivision control.
- 15 (J) One (1) or more utility services.
- 16 (K) Stream pollution control or water conservation.
- 17 (5) That the proposed town could finance the proposed municipal
- 18 services with a reasonable tax rate, using the current assessed
- 19 valuation of properties as a basis for calculation.
- 20 (6) That incorporation is in the best interest of the territory
- 21 involved. This finding must include a consideration of:
- 22 (A) the expected growth and governmental needs of the area
- 23 surrounding the proposed town;
- 24 (B) the extent to which another unit can more adequately and
- 25 economically provide essential services and functions; and
- 26 (C) the extent to which the incorporators are willing to enter
- 27 into agreements under IC 36-1-7 with the largest neighboring
- 28 municipality, if that municipality has proposed such
- 29 agreements.
- 30 **(b) If the county executive determines that the petition satisfies**
- 31 **the requirements set forth in subsection (a), the county executive**
- 32 **shall do either of the following:**
- 33 **(1) Adopt an ordinance under section 10.1 of this chapter**
- 34 **incorporating the town.**
- 35 **(2) Adopt a resolution to place a public question concerning**
- 36 **the incorporation on the ballot at an election. The county**
- 37 **executive shall request a date for the election as follows:**
- 38 **(A) If the county executive requests the public question be**
- 39 **on the same date as a general election or primary election:**
- 40 **(i) the resolution must state that the election is to be on**
- 41 **the same date as a general or primary election, and must**
- 42 **be certified in accordance with IC 3-10-9-3; and**

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1 (ii) the election must be held on the date of the next
 2 general election or primary election, whichever is
 3 earlier, at which the question can be placed on the ballot
 4 under IC 3-10-9-3.

5 (B) If a petition contains a request for a special election,
 6 the county executive may request that the public question
 7 concerning the incorporation will be on the ballot of a
 8 special election. An election may be considered a special
 9 election only if it is conducted on a date other than the date
 10 of a general election or primary election. The date of the
 11 special election must be:

12 (i) at least thirty (30) and not more than sixty (60) days
 13 after the notice of the election is filed under IC 3-10-8-4;
 14 and

15 (ii) not later than the next general election or primary
 16 election, whichever is earlier, at which the question can
 17 be placed on the ballot under IC 3-10-9-3.

18 If the public question is on the ballot of a special election,
 19 the petitioners shall pay the costs of holding the special
 20 election.

21 If the county executive adopts a resolution under this
 22 subdivision, the county executive shall file the resolution and
 23 the petition with the circuit court clerk of each county that
 24 contains any part of the territory sought to be incorporated.

25 (c) After a resolution is filed with a circuit court clerk under
 26 subsection (b)(2), the circuit court clerk shall certify the resolution
 27 to the county election board. The county election board shall place
 28 the following public question on the ballot:

29 "Shall (insert a description of the territorial boundaries) be
 30 incorporated as a town?".

31 Only the registered voters residing within the territory of the
 32 proposed town may vote on the public question.

33 (d) Not earlier than sixty (60) days and not later than thirty (30)
 34 days before the election, the petitioners shall publish a notice in
 35 accordance with IC 5-3-1 in each county where the proposed town
 36 is located. The notice must include the following:

37 (1) A description of the boundaries of the proposed town and
 38 the quantity of land contained in the territory of the proposed
 39 town.

40 (2) The information provided under section 3(3) through 3(6)
 41 of this chapter.

42 (3) The name, telephone number, and electronic mail address

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(if available) of the contact person for the petitioners.
(4) A statement that the petition is available for inspection and copying in the office of the circuit court clerk of each county where the proposed town is located.

The petitioners shall submit proof of publication of the notice to the circuit court clerk of each county in which the proposed town is located. A defect in the form of the notice does not invalidate the petition.

(e) If a majority of the voters residing within the territory of the proposed town:

- (1) vote "no" on the public question, the territory is not incorporated as a town, and a new petition for incorporation may not be filed within the period set forth in section 9 of this chapter; or
- (2) vote "yes" on the public question, the county executive of each county in which the proposed town is located shall adopt an ordinance under section 10.1 of this chapter.

(f) The circuit court clerk shall certify the results of a public question under this section to the following:

- (1) The county executive of each county in which the proposed incorporated territory is located.
- (2) The county auditor of each county in which the proposed incorporated territory is located.
- (3) The department of local government finance.
- (4) The department of state revenue.
- (5) The state board of accounts.

SECTION 5. IC 36-5-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) This subsection applies only to a petition filed before July 1, 2013. If a petition for incorporation that is denied, a petition for incorporation may not be resubmitted within refiled under section 8 of this chapter not earlier than one (1) year after the date of final denial. This subsection expires July 1, 2014.

(b) This subsection applies only to a petition filed after June 30, 2013. A petition for incorporation may not be refiled within two (2) years after the date of the election at which a majority of voters voting on the public question vote "no" under section 8 of this chapter.

SECTION 6. IC 36-5-1-10.1, AS AMENDED BY P.L.113-2010, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10.1. (a) Except as provided in subsection (g); If the county executive makes the findings required by

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1 section 8 of this chapter; it may a majority of the voters voting on the
 2 public question under section 8 of this chapter vote "yes", the
 3 county executive shall adopt an ordinance incorporating the town. The

4 (b) An ordinance adopted under subsection (a) must:

5 (1) provide that:

6 (A) all members of the town legislative body are to be elected
 7 at large (if the town would have a population of less than three
 8 thousand five hundred (3,500); or

9 (B) divide the town into not less than three (3) nor more than
 10 seven (7) districts; and

11 (2) direct the county election board to conduct an election in the
 12 town on the date of the next general or municipal election to be
 13 held in any precincts in the county.

14 An election conducted under this section must comply with IC 3
 15 concerning town elections. If, on the date that an ordinance was
 16 adopted under this section, absentee ballots for a general or municipal
 17 election have been delivered under IC 3-11-4-15 for voters within a
 18 precinct in the town, the election must be conducted on the date of the
 19 next general or municipal election held in any precincts in the county
 20 after the election for which absentee balloting is being conducted.
 21 However, a primary election may not be conducted before an election
 22 conducted under this section, regardless of the population of the town.

23 ~~(b)~~ (c) Districts established by an ordinance adopted under this
 24 section must comply with IC 3-11-1.5.

25 ~~(c)~~ (d) If any territory in the town is not included in one (1) of the
 26 districts established under this section, the territory is included in the
 27 district that:

28 (1) is contiguous to that territory; and

29 (2) contains the least population of all districts contiguous to that
 30 territory.

31 ~~(d)~~ (e) If any territory in the town is included in more than one (1)
 32 of the districts established under this section, the territory is included
 33 in the district that:

34 (1) is one (1) of the districts in which the territory is described in
 35 the ordinance adopted under this section;

36 (2) is contiguous to that territory; and

37 (3) contains the least population of all districts contiguous to that
 38 territory.

39 ~~(e)~~ (f) Except as provided in subsection ~~(f)~~; (g) an ordinance
 40 adopted under this section becomes effective when filed with:

41 (1) the office of the secretary of state; and

42 (2) the circuit court clerk of each county in which the town is

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1 located.

2 ~~(f)~~ **(g)** An ordinance incorporating a town under this section may not
3 take effect during the year preceding a year in which a federal
4 decennial census is conducted. An ordinance under this section that
5 would otherwise take effect during the year preceding a year in which
6 a federal decennial census is conducted takes effect January 1 of the
7 year in which a federal decennial census is conducted.

8 ~~(g)~~ **(g)** Proceedings to incorporate a town across county boundaries
9 must have the approval of the county executive of each county that
10 contains a part of the proposed town. **(h)** Each county that contains a
11 part of the proposed town must adopt identical ordinances providing
12 for the incorporation of the town.

13 ~~(h)~~ **(i)** Notwithstanding subsection ~~(f)~~ **(g)** as that subsection existed
14 on December 31, 2009, an ordinance that took effect January 2, 2010,
15 because of the application of subsection ~~(f)~~ **(g)**, as that subsection
16 existed on December 31, 2009, is instead considered to take effect
17 January 1, 2010, without the adoption of an ordinance or an amended
18 ordinance or any other additional action being required.

19 **SECTION 7. [EFFECTIVE JULY 1, 2013] (a) The amendment of**
20 **IC 36-5-1-2, IC 36-5-1-7, IC 36-5-1-7.1, IC 36-5-1-8, and**
21 **IC 36-5-1-10.1 by this act does not affect a petition to incorporate**
22 **a town under IC 36-5-1 that is filed before July 1, 2013, and**
23 **considered, adopted, approved, or disapproved before July 1, 2014,**
24 **by the county commissioners of each county in which the proposed**
25 **town is located. Such a petition may be considered, adopted,**
26 **approved, or disapproved by the county commissioners of each**
27 **county in which the proposed town is located under the statutes in**
28 **effect before July 1, 2013, as if this act had not been enacted.**

29 **(b) This SECTION expires July 1, 2014.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1186, 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, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 36-5-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Proceedings to incorporate a town may be instituted by filing a **written** petition in quadruplicate with the executive of ~~each the~~ county ~~in which a part that contains all or a majority~~ of the territory sought to be incorporated. ~~is located~~. The petition must be signed by at least ~~fifty~~ **(50) ten percent (10%)** of the owners of land in the territory and must state ~~that:~~ **the following:**

- (1) The territory is used or will, in the reasonably foreseeable future, be used generally for commercial, industrial, residential, or similar purposes.
- (2) The territory is reasonably compact and contiguous.
- (3) There is enough undeveloped land in the territory to permit reasonable growth of the town. ~~and~~
- (4) Incorporation is in the best interests of the citizens of the territory.
- (5) The name, telephone number, and electronic mail address (if available) of the contact person for the petitioners.**
- (6) If the petitioners want the incorporation to be approved by a public question at a special election, that the petitioners agree to pay the costs of the special election.**

(b) The signatures of the petitioners must be verified, and the verification must include a statement that the petitioners are owners of land in the territory sought to be incorporated.

(c) In determining the number of petitioners, not more than one (1) person having an interest in a single parcel of land may be counted, and a person owning more than one (1) parcel of land in the area may be counted only once.

(d) The petition filed under subsection (a) must be accompanied by the ordinance of any city required to consent to the incorporation under section 7 of this chapter."

Delete pages 2 through 4.

Page 5, delete lines 1 through 16.

Page 5, delete lines 39 through 42, begin a new paragraph and insert:

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"SECTION 4. IC 36-5-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **(a)** The county executive may approve a petition for incorporation only if it finds all of the following:

- (1) That the proposed town is used or will, in the reasonably foreseeable future, be used generally for commercial, industrial, residential, or similar purposes.
- (2) That the proposed town is reasonably compact and contiguous.
- (3) That the proposed town includes enough territory to allow for reasonable growth in the foreseeable future.
- (4) That a substantial majority of the property owners in the proposed town have agreed that at least six (6) of the following municipal services should be provided on an adequate basis:
 - (A) Police protection.
 - (B) Fire protection.
 - (C) Street construction, maintenance, and lighting.
 - (D) Sanitary sewers.
 - (E) Storm sewers.
 - (F) Health protection.
 - (G) Parks and recreation.
 - (H) Schools and education.
 - (I) Planning, zoning, and subdivision control.
 - (J) One (1) or more utility services.
 - (K) Stream pollution control or water conservation.
- (5) That the proposed town could finance the proposed municipal services with a reasonable tax rate, using the current assessed valuation of properties as a basis for calculation.
- (6) That incorporation is in the best interest of the territory involved. This finding must include a consideration of:
 - (A) the expected growth and governmental needs of the area surrounding the proposed town;
 - (B) the extent to which another unit can more adequately and economically provide essential services and functions; and
 - (C) the extent to which the incorporators are willing to enter into agreements under IC 36-1-7 with the largest neighboring municipality, if that municipality has proposed such agreements.

(b) If the county executive determines that the petition satisfies the requirements set forth in subsection (a), the county executive shall do either of the following:

- (1) Adopt an ordinance under section 10.1 of this chapter incorporating the town.**



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(2) Adopt a resolution to place a public question concerning the incorporation on the ballot at an election. The county executive shall request a date for the election as follows:

(A) If the county executive requests the public question be on the same date as a general election or primary election:

(i) the resolution must state that the election is to be on the same date as a general or primary election, and must be certified in accordance with IC 3-10-9-3; and

(ii) the election must be held on the date of the next general election or primary election, whichever is earlier, at which the question can be placed on the ballot under IC 3-10-9-3.

(B) If a petition contains a request for a special election, the county executive may request that the public question concerning the incorporation will be on the ballot of a special election. An election may be considered a special election only if it is conducted on a date other than the date of a general election or primary election. The date of the special election must be:

(i) at least thirty (30) and not more than sixty (60) days after the notice of the election is filed under IC 3-10-8-4; and

(ii) not later than the next general election or primary election, whichever is earlier, at which the question can be placed on the ballot under IC 3-10-9-3.

If the public question is on the ballot of a special election, the petitioners shall pay the costs of holding the special election.

If the county executive adopts a resolution under this subdivision, the county executive shall file the resolution and the petition with the circuit court clerk of each county that contains any part of the territory sought to be incorporated.

(c) After a resolution is filed with a circuit court clerk under subsection (b)(2), the circuit court clerk shall certify the resolution to the county election board. The county election board shall place the following public question on the ballot:

"Shall (insert a description of the territorial boundaries) be incorporated as a town?"

Only the registered voters residing within the territory of the proposed town may vote on the public question.

(d) Not earlier than sixty (60) days and not later than thirty (30) days before the election, the petitioners shall publish a notice in

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accordance with IC 5-3-1 in each county where the proposed town is located. The notice must include the following:

- (1) A description of the boundaries of the proposed town and the quantity of land contained in the territory of the proposed town.
- (2) The information provided under section 3(3) through 3(6) of this chapter.
- (3) The name, telephone number, and electronic mail address (if available) of the contact person for the petitioners.
- (4) A statement that the petition is available for inspection and copying in the office of the circuit court clerk of each county where the proposed town is located.

The petitioners shall submit proof of publication of the notice to the circuit court clerk of each county in which the proposed town is located. A defect in the form of the notice does not invalidate the petition.

(e) If a majority of the voters residing within the territory of the proposed town:

- (1) vote "no" on the public question, the territory is not incorporated as a town, and a new petition for incorporation may not be filed within the period set forth in section 9 of this chapter; or
- (2) vote "yes" on the public question, the county executive of each county in which the proposed town is located shall adopt an ordinance under section 10.1 of this chapter.

(f) The circuit court clerk shall certify the results of a public question under this section to the following:

- (1) The county executive of each county in which the proposed incorporated territory is located.
- (2) The county auditor of each county in which the proposed incorporated territory is located.
- (3) The department of local government finance.
- (4) The department of state revenue.
- (5) The state board of accounts."

Page 6, delete lines 1 through 32.

Page 6, line 37, delete "1.5" and insert "8".

Page 7, line 1, delete "1.5" and insert "8".

Page 7, delete lines 3 through 42, begin a new paragraph and insert:
 "SECTION 5. IC 36-5-1-10.1, AS AMENDED BY P.L.113-2010, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10.1. (a) Except as provided in subsection (g); If the county executive makes the findings required by

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~~section 8 of this chapter; it may a majority of the voters voting on the public question under section 8 of this chapter vote "yes", the county executive shall~~ adopt an ordinance incorporating the town. ~~The~~

(b) An ordinance adopted under subsection (a) must:

(1) provide that:

(A) all members of the town legislative body are to be elected at large (if the town would have a population of less than three thousand five hundred (3,500); or

(B) divide the town into not less than three (3) nor more than seven (7) districts; and

(2) direct the county election board to conduct an election in the town on the date of the next general or municipal election to be held in any precincts in the county.

An election conducted under this section must comply with IC 3 concerning town elections. If, on the date that an ordinance was adopted under this section, absentee ballots for a general or municipal election have been delivered under IC 3-11-4-15 for voters within a precinct in the town, the election must be conducted on the date of the next general or municipal election held in any precincts in the county after the election for which absentee balloting is being conducted. However, a primary election may not be conducted before an election conducted under this section, regardless of the population of the town.

~~(b)~~ **(c)** Districts established by an ordinance adopted under this section must comply with IC 3-11-1.5.

~~(c)~~ **(d)** If any territory in the town is not included in one (1) of the districts established under this section, the territory is included in the district that:

(1) is contiguous to that territory; and

(2) contains the least population of all districts contiguous to that territory.

~~(d)~~ **(e)** If any territory in the town is included in more than one (1) of the districts established under this section, the territory is included in the district that:

(1) is one (1) of the districts in which the territory is described in the ordinance adopted under this section;

(2) is contiguous to that territory; and

(3) contains the least population of all districts contiguous to that territory.

~~(e)~~ **(f)** Except as provided in subsection ~~(f)~~; **(g)** an ordinance adopted under this section becomes effective when filed with:

(1) the office of the secretary of state; and

(2) the circuit court clerk of each county in which the town is

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located.

~~(f)~~ (g) An ordinance incorporating a town under this section may not take effect during the year preceding a year in which a federal decennial census is conducted. An ordinance under this section that would otherwise take effect during the year preceding a year in which a federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.

(g) Proceedings to incorporate a town across county boundaries must have the approval of the county executive of each county that contains a part of the proposed town. (h) Each county that contains a part of the proposed town must adopt identical ordinances providing for the incorporation of the town.

~~(h)~~ (i) Notwithstanding subsection ~~(f)~~ (g) as that subsection existed on December 31, 2009, an ordinance that took effect January 2, 2010, because of the application of subsection ~~(f)~~ (g), as that subsection existed on December 31, 2009, is instead considered to take effect January 1, 2010, without the adoption of an ordinance or an amended ordinance or any other additional action being required.

SECTION 6. [EFFECTIVE JULY 1, 2013] (a) **The amendment of IC 36-5-1-2, IC 36-5-1-7, IC 36-5-1-7.1, IC 36-5-1-8, and IC 36-5-1-10.1 by this act does not affect a petition to incorporate a town under IC 36-5-1 that is filed before July 1, 2013, and considered, adopted, approved, or disapproved before July 1, 2014, by the county commissioners of each county in which the proposed town is located. Such a petition may be considered, adopted, approved, or disapproved by the county commissioners of each county in which the proposed town is located under the statutes in effect before July 1, 2013, as if this act had not been enacted.**

(b) This SECTION expires July 1, 2014."

Delete page 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1186 as introduced.)

NEESE, Chair

Committee Vote: yeas 9, nays 0.



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