

IC 16-24-3

Chapter 3. Conveyance or Assignment of Real and Personal Property by a County to an Association Incorporated for Prevention and Treatment of Tuberculosis

IC 16-24-3-1

Authority of county to convey or assign property to nonprofit or charitable tuberculosis association

Sec. 1. Whenever a county:

- (1) acquires real or other property with funds donated for the purpose of prevention, detection, treatment, and cure of tuberculosis or for the acquisition, enlargement, or maintenance of a tuberculosis hospital or clinic; and
- (2) has a nonprofit and charitable association dedicated to the prevention, detection, and treatment of tuberculosis that:
 - (A) has been engaged in that cause in the county for at least five (5) years;
 - (B) has used the property and financed the operation of a tuberculosis clinic for at least three (3) years in a manner satisfactory to the county executive; and
 - (C) is affiliated with and operates under contract with the Indiana Tuberculosis Association;

the county may, through the county executive of the county, convey or assign the property to the county tuberculosis association in consideration for the future and perpetual operation of the clinic for the benefit of all citizens of the county for the prevention, detection, and early treatment of tuberculosis without expense to the county.

As added by P.L.2-1993, SEC. 7.

IC 16-24-3-2

Petition for conveyance or assignment

Sec. 2. A county tuberculosis association that qualifies for a conveyance or an assignment of real or other property under this chapter may file a petition with the county executive. The petition must meet the following conditions:

- (1) Describe the property sought.
- (2) Set out facts in support of the association's qualification.
- (3) Be verified under oath of the president and secretary of the association.
- (4) Include two (2) executed copies of the proposed agreement for the future and perpetual operation of the clinic without expense to the county.

As added by P.L.2-1993, SEC. 7.

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Investigation of petitioner

Sec. 3. The county executive shall convey or assign the property to the petitioner if the board finds the following:

- (1) The petitioner is qualified to receive the property described in the petitioner's petition.

(2) It is in the best interest of the county to convey or assign the property.

As added by P.L.2-1993, SEC.7.

IC 16-24-3-4

Ordinance authorizing conveyance or assignment

Sec. 4. (a) The county auditor shall call a meeting of the county fiscal body to consider the matter.

(b) If the county fiscal body confirms the finding of the county executive by a two-thirds (2/3) vote of all members of the fiscal body, the county fiscal body shall adopt an ordinance authorizing the board to execute the contract on behalf of the county and to convey or assign the property.

As added by P.L.2-1993, SEC.7.

IC 16-24-3-5

Contract to convey or assign property

Sec. 5. The county executive shall execute the contract and the conveyance or assignment of property and deliver the conveyance or assignment to the petitioner, retaining a copy of the executed contract that shall be entered in the official minutes of the board.

As added by P.L.2-1993, SEC.7.

IC 16-24-3-6

Conditions on conveyance or assignment

Sec. 6. The county may not convey or assign the property unless the following conditions are met:

(1) The property is separate and apart from county property used for other county purposes.

(2) The deed and contract of conveyance of real property contains a stipulation that the real property reverts to the grantor county if the grantee fails or neglects in the future to operate the clinic for the purposes set out in the contract.

As added by P.L.2-1993, SEC.7.

IC 16-24-3-7

Continuing county obligation to tuberculosis patients

Sec. 7. This chapter does not relieve the county from the obligation to care for and treat tuberculosis patients, including the treatment of advanced cases in hospitals, either within or outside the county.

As added by P.L.2-1993, SEC.7.