

**INDIANA LEAGUE OF MUNICIPAL CLERKS & TREASURERS**

*Annual Conference*

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Newly Enacted Legislation  
and  
Uniform Compliance Guidelines  
Part II

*Presenters:*

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**2017**

**Senate Enrolled Acts**

**Cities & Towns**

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **Senate Enrolled Act (SEA) 46 - Public Law (P.L.) 40-2017; Various Pension Matters**

- Death benefits paid to beneficiaries of members of the 1925 Police Pension Plan and 1937 Firefighters' Fund who die in the line of duty are to be paid from the Special Death Benefit Fund instead of the Pension Relief Fund.
- Allows a member of PERF to do the following:
  - Retain and continue to invest all or part of the money in the ASA (annuity savings account)
  - Receive one or more distributions of all or part of the money in the ASA
  - Obtain an annuity with all or part of the money in the ASA

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 152 - P.L. 52-2017; Local Redevelopment:**

Provides that a redevelopment commission may purchase property that is for sale:

- at an auction or
- that has a purchase price of not more than \$25,000

*without* first obtaining two independent appraisals.

Provides that a redevelopment commission may purchase property that is blighted, unsafe, abandoned, foreclosed, or structurally damaged.

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 213 – P.L. 261-2017; Wireless Support Structures:**

Makes changes to the statute concerning the local permitting of wireless support structures:

- Amends definition of “small cell facility”
- Amends definition of “utility pole” – includes structures designed or used to provide traffic control or signage
- Provides a local authority could prohibit new structures within an area if designated strictly for underground or buried utilities (had to be before May 1, 2017)
- Placement of small cell structures in a public right-of-way is considered a permitted use and is exempt from local zoning review (under certain conditions)

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 213 – P.L. 261-2017; Wireless Support Structures** **(continued):**

Makes changes to the statute concerning the local permitting of wireless support structures:

- Maximum fee for new structure \$100. Maximum fee for attaching to existing utility pole \$50
- Homeowners association can register with the permit authority to be notified by U.S. mail of any applications within the association’s jurisdiction



## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 310 – P.L. 110-2017; Land Banks:**

- Allows 3<sup>rd</sup> class city to establish a land bank to manage and improve the marketability of distressed real property.
- Establishes memberships on the land bank board

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 348 – P.L. 211-2017; Regulation of Signs:**

- Ordinances or regulations relating to the number or size of signs are unenforceable beginning 60 days before an election and ending on the 6<sup>th</sup> day after an election
- Provides a “sign” under this statute is a surface not greater than 32 square feet
- Permits local units to enforce sign regulations at any time as necessary for public safety
- Adds a ‘substitution’ provision to prevent favoring of commercial speech over noncommercial speech



## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 442 – P.L. 74-2017; Various Election Matters:**

- Specifies the allocation of municipal and special election administration expenses among a county and municipalities in the county in vote center counties
- A felony conviction that has been
  - Pardoned
  - Reversed
  - Vacated
  - Set aside
  - Expunged
 does not disqualify a person from holding elected office
- Specifies the ways a candidate for a small town office or multiple candidates for an at-large council seat may be nominated

## ***2017 SENATE ACTS AFFECTING CITIES AND TOWNS***

### **SEA 456 – P.L. 6-2017; War Memorials:**

Fiscal body of a city, by ordinance or resolution, may authorize the sale or donation of a war memorial to a not-for-profit organization

Requires the organization acquiring it to continue to operate and maintain it as a war memorial

Ownership reverts back to the city if the organization can not continue to operate it or the organization dissolves or otherwise ceases to exist.