



February 27, 2001

HOUSE BILL No. 1952

DIGEST OF HB 1952 (Updated February 26, 2001 10:34 PM - DI 75)

Citations Affected: IC 36-7; noncode.

Synopsis: Local housing authority membership. Adds two members to a housing authority. Provides that one member must be a resident of a housing project. Provides for the initial appointment of the additional housing authority members.

Effective: July 1, 2001.

Yount, Stevenson, Day

January 17, 2001, read first time and referred to Committee on Local Government.
February 26, 2001, amended, reported — Do Pass.

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HB 1952—LS 7289/DI 94+



February 27, 2001

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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HOUSE BILL No. 1952

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 36-7-18-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) After the fiscal
3 body of a unit adopts a resolution under section 4 of this chapter,
4 persons shall be appointed as commissioners of the housing authority
5 in the following manner:

6 (1) In a city, the fiscal body shall promptly notify the city
7 executive of the adoption of the resolution. The executive shall
8 then appoint ~~five (5)~~ **seven (7)** persons, **one (1) of whom must be**
9 **a resident of a housing project under the jurisdiction of the**
10 **housing authority**, no more than ~~three (3)~~ **four (4)** of whom may
11 be of the same political party, as commissioners of the housing
12 authority.

13 (2) In a town or county, the fiscal body shall appoint ~~five (5)~~
14 **seven (7)** persons, **one (1) of whom must be a resident of a**
15 **housing project under the jurisdiction of the housing**
16 **authority**, no more than ~~three (3)~~ **four (4)** of whom may be of the
17 same political party, as commissioners of the housing authority.

HB 1952—LS 7289/DI 94+



1 (b) Subsequent appointments to the authority shall be made in the
2 same manner.

3 (c) A commissioner of a housing authority must be a resident of the
4 area in which the housing authority has jurisdiction as provided in
5 section 41 of this chapter.

6 SECTION 2. IC 36-7-18-7 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The executive or
8 fiscal body appointing the first commissioners of a housing authority
9 shall fix their terms as follows:

10 (1) One (1) year for ~~one (1)~~ **two (2)** of the commissioners.

11 (2) Two (2) years for ~~one (1)~~ **two (2)** of the commissioners.

12 (3) Three (3) years for one (1) of the commissioners.

13 (4) Four (4) years for two (2) of the commissioners.

14 After that, appointments to the authority are for a term of four (4) years,
15 except that all vacancies shall be filled for the unexpired term. A
16 commissioner serves until his successor is appointed and qualified.

17 (b) A certificate for the appointment or reappointment of a
18 commissioner of a housing authority must be filed with the clerk of the
19 fiscal body of the unit. The certificate is conclusive evidence of the
20 proper appointment of the commissioner.

21 SECTION 3. IC 36-7-18-12 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) The executive
23 or fiscal body appointing the first commissioners of a housing authority
24 shall select one (1) of those commissioners to be the first chairman of
25 the authority. When the office of the chairman becomes vacant, the
26 commissioners shall elect a chairman, who must be a commissioner.

27 (b) The commissioners of a housing authority shall elect a vice
28 chairman for the authority, who must be a commissioner.

29 SECTION 4. IC 36-7-18-13 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. The following rules
31 apply to proceedings of a housing authority:

32 (1) ~~Three (3)~~ **Four (4)** commissioners constitute a quorum.

33 (2) A majority vote of the commissioners present is required to
34 authorize an action of the authority, unless a greater vote is
35 required by the bylaws of the authority.

36 SECTION 5. [EFFECTIVE JULY 1, 2001] **(a) Notwithstanding**
37 **IC 36-7-18-5 and IC 36-7-18-7, both as amended by this act, the**
38 **appointing authority of a unit that created a housing authority**
39 **with five (5) commissioners before July 1, 2001, shall appoint the**
40 **following not later than August 1, 2001:**

41 **(1) One (1) commissioner who is a resident of a housing**
42 **project under the jurisdiction of the housing authority, who**

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1 serves an initial term of one (1) year, and who may be
2 reappointed.
3 (2) One (1) commissioner who serves an initial term of two (2)
4 years, and may be reappointed.
5 (b) This SECTION expires July 1, 2005.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1952, 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, line 8, delete "six (6)" and insert "**seven (7)**".

Page 1, line 10, strike "three (3)" and insert "**four (4)**".

Page 1, line 12, delete "six" and insert "**seven (7)**".

Page 1, line 13, delete "(6)".

Page 1, line 15, strike "three (3)" and insert "**four (4)**".

Page 2, line 10, strike "one (1)" and insert "**two (2)**".

Page 2, delete lines 28 through 30.

Page 2, line 35, delete "not including".

Page 2, line 36, delete "the chairman,".

Page 2, line 39, after "the" insert "**appointing authority of a unit that created a housing authority with five (5) commissioners before July 1, 2001, shall appoint the following not later than August 1, 2001:**

(1) One (1) commissioner who is a resident of a housing project under the jurisdiction of the housing authority, who serves an initial term of one (1) year, and who may be reappointed.

(2) One (1) commissioner who serves an initial term of two (2) years, and may be reappointed."

Page 2, delete lines 40 through 42.

Page 3, delete lines 1 through 3.

and when so amended that said bill do pass.

(Reference is to HB 1952 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 11, nays 0.

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