

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.

HOUSE ENROLLED ACT No. 1952

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

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

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

(2) In a town or county, the fiscal body shall appoint ~~five (5)~~ **seven (7)** persons, **one (1) of whom must be a person directly assisted by the housing authority**, no more than ~~three (3)~~ **four (4)** of whom may be of the same political party, as commissioners of the housing authority.

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

(c) A commissioner of a housing authority must be a resident of the area in which the housing authority has jurisdiction as provided in

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section 41 of this chapter.

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

- (1) One (1) year for ~~one (1)~~ **two (2)** of the commissioners.
- (2) Two (2) years for ~~one (1)~~ **two (2)** of the commissioners.
- (3) Three (3) years for one (1) of the commissioners.
- (4) Four (4) years for two (2) of the commissioners.

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

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

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

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

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

- (1) ~~Three (3)~~ **Four (4)** commissioners constitute a quorum.
- (2) A majority vote of the commissioners present is required to authorize an action of the authority, unless a greater vote is required by the bylaws of the authority.

SECTION 5. [EFFECTIVE JULY 1, 2001] **(a) Notwithstanding IC 36-7-18-5 and IC 36-7-18-7, both as amended by this act, the 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.**

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(b) This SECTION expires July 1, 2005.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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