SENATE BILL No. 289

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DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-1-4; IC 36-4-1-4.1.

Synopsis: Petitions to convert a town to a city. Increases the number of registered voters of a town that are required to sign a petition to put the question of whether a town may become a city on the ballot as a local public question.

Effective: July 1, 2003.

Gard

January 15, 2003, read first time and referred to Committee on Elections and Civic Affairs.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 289

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 36-4-1-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 4. If a town has a population of
3 more than two thousand (2,000), it may change into a city in the
4 following manner:
5   (1) The town legislative body may adopt a resolution submitting
6   to the town's voters the question of whether the town should
7   change into a city. The legislative body shall adopt such a
8   resolution if at least the number of the registered voters of the
9   town required under ~~IC 3-8-6-3 to place a candidate on the ballot~~
10   **section 4.1 of this chapter** petition it to do so. The legislative
11   body shall file a copy of the resolution with the clerk of the circuit
12   court for each county in which the town is located. The circuit
13   court clerk shall immediately certify the resolution to the county
14   election board.
15   (2) The resolution must fix a date for an election on the question.
16   If the election is to be a special election, the date must be not less
17   than thirty (30) nor more than sixty (60) days after the notice of

1   the election. If the election is to be on the same date as a general
2   election, the resolution must state that fact and be certified in
3   accordance with IC 3-10-9-3.
4   (3) Notice of the election must be given by the clerk of the circuit
5   court in the manner prescribed by IC 3-8-2-19. IC 3-10-6 applies
6   to the election.
7   (4) The question shall be placed on the ballot in the form
8   prescribed by IC 3-10-9-4 and must state "Shall the town of
9   _____ change into a city?".
10   (5) If a majority of those voting on the question vote "yes", the
11   town changes into a city when its officers are elected and
12   qualified; otherwise the town remains a town.
13   SECTION 2. IC 36-4-1-4.1 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2003]: **Sec. 4.1. (a) A petition for a resolution under section 4 of**
16 **this chapter must be signed by the number of registered voters of**
17 **the town equal to at least ten percent (10%) of the total vote cast**
18 **at the last election for secretary of state.**
19   **(b) In determining the number of signatures required under this**
20 **section, any fraction that exceeds a whole number must be**
21 **disregarded.**