

SENATE BILL No. 239

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-9.

Synopsis: City consent to town annexation. Requires certain towns to obtain the consent of a second or third class city before annexing territory within one mile (rather than three miles) of the city.

Effective: January 1, 2004 (retroactive).

Drozda

January 4, 2005, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

C
O
P
Y



First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

C
O
P
Y

SENATE BILL No. 239



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 36-4-3-9 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec. 9. (a) A
3 town must obtain the consent of both the metropolitan development
4 commission and the legislative body of a county having a consolidated
5 city before annexing territory within the county where a consolidated
6 city is located.
7 (b) This subsection does not apply to the following:
8 (1) A town:
9 (A) located in a county having a population of more than four
10 hundred thousand (400,000) but less than seven hundred
11 thousand (700,000); and
12 (B) that has a population of more than thirty thousand
13 (30,000).
14 (2) A town:
15 (A) located in a county having a population of more than one
16 hundred eighty thousand (180,000) but less than one hundred
17 eighty-two thousand seven hundred ninety (182,790);



1 (B) having a population of more than thirty thousand (30,000);
2 and
3 (C) located in a different county than the city.
4 A town must obtain the consent of the legislative body of a second or
5 third class city before annexing territory within ~~three (3) miles~~ **one (1)**
6 **mile** of the corporate boundaries of the city.
7 (c) Each municipality that is known as an included town under
8 IC 36-3-1-7 is also considered a town for purposes of this section.
9 **SECTION 2. An emergency is declared for this act.**

**C
o
p
y**

