

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6030

BILL NUMBER: SB 4

NOTE PREPARED: Jan 29, 2013

BILL AMENDED: Jan 24, 2013

SUBJECT: Altering Historic Preservation Districts.

FIRST AUTHOR: Sen. Arnold

FIRST SPONSOR: Rep. Dermody

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) The bill provides the exclusive method for removing the designation of a historic district. It provides that a petition requesting the removal of a designation of a historic district may be filed with the legislative body of the unit by the owners of: (1) a building, structure, or site designated as a single-site historic district; or (2) in the case of a historic district with two or more parcels, at least 60% of the owners of the real property of the historic district. The bill requires the legislative body to submit the petition to the historic preservation commission (commission) of the unit. The bill requires the commission to conduct a public hearing on the petition not later than 60 days after receiving the petition. It requires the commission to make findings and a recommendation to grant or deny the petition not later than ten days after the public hearing.

The bill also requires the legislative body of the unit to grant or deny the petition not later than 45 days after receiving the petition from the commission. It provides that the legislative body may adopt an ordinance granting a petition by: (1) a majority vote, if the recommendation of the commission is to grant the petition; or (2) by a two-thirds vote, if the recommendation of the commission is to deny the petition. The bill also provides that if the legislative body does not act upon the petition within the 45-day period, the petition is considered granted or denied in accordance with the recommendation of the commission. The bill provides that if a petition is granted, the legislative body must adopt an ordinance to remove the designation of the historic district and record the ordinance with the county recorder. The bill provides that the designation of the historic district is considered removed on the date the ordinance is recorded with the county recorder.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: A historic preservation commission, required to conduct a public hearing, would have additional expenditures for an advertisement of the hearing in local newspapers and by certified mail to owners of property abutting the building, structure, or site that is under the petition for removal.

Generally, members of a historic preservation commission serve without compensation except for reasonable expenses incurred while serving.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Local units' legislative bodies, historic preservation commissions, county recorders.

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.